

# JOINT BUDGET COMMITTEE



## STAFF BUDGET BRIEFING FY 2023-24

### DEPARTMENT OF PERSONNEL (Including Operating Common Policies)

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

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## ADDITIONAL RESOURCES

Brief summaries of all bills that passed during the 2020 and 2021 legislative sessions that had a fiscal impact on this department are available in Appendix A of the annual Appropriations Report: [https://leg.colorado.gov/sites/default/files/fy21-22apprept\\_0.pdf](https://leg.colorado.gov/sites/default/files/fy21-22apprept_0.pdf)

The online version of the briefing document, which includes the Numbers Pages, may be found by searching the budget documents on the General Assembly’s website by visiting [leg.colorado.gov/content/budget/budget-documents](https://leg.colorado.gov/content/budget/budget-documents). Once on the budget documents page, select the name of this department's *Department/Topic*, "Briefing" under *Type*, and ensure that *Start date* and *End date* encompass the date a document was presented to the JBC.

# DEPARTMENT OF PERSONNEL

## DEPARTMENT OVERVIEW

The Department generally provides centralized human resources and administrative support functions and centralized business services for state agencies.

The EXECUTIVE DIRECTOR'S OFFICE provides operational management direction, policy formulation, financial services, human resources, communications, and coordinates media and legislative relations. The Special Purpose subdivision within the Executive Director's Office includes the Office of the State Architect, the Colorado State Employee Assistance Program (C-SEAP), the Colorado Equity Office, and the Public-Private Partnership Office.

The DIVISION OF HUMAN RESOURCES establishes statewide human resource programs and systems to meet constitutional and statutory requirements and provides support services to state agency human resource offices. The Division also provides training resources to employees and conducts the annual total compensation and employee engagement surveys.

**RISK MANAGEMENT** in the Division of Human Resources administers the state's coverage for workers' compensation, property, and liability insurance. The programs are funded through operating common policies allocated to each agency.

The STATE PERSONNEL BOARD, located in the Department but constitutionally independent, oversees the State Personnel System pursuant to Article XII, Sections 13, 14, and 15 of the Colorado Constitution.

The Board adjudicates employment disputes within the state classified system and is responsible for promulgating rules to ensure that state employment is based on merit. The Board conducts administrative hearings, promulgates rules under the authority of the State Administrative Procedures Act, and facilitates dispute resolution. The Board also provides guidance in “achieving and maintaining a sound, comprehensive, and uniform system of human resource management.”

The purpose of the DIVISION OF CENTRAL SERVICES is to realize efficiencies for the state through consolidated common business services including Integrated Document Solutions and Colorado State Archives.

**INTEGRATED DOCUMENT SOLUTIONS** provides document- and data-related support services, including print and design, mail operations, digital imaging, data entry, and manual forms and document processing.

**COLORADO STATE ARCHIVES** collects, preserves, and provides access to historic and legal records for the state as well as provides best practices and guidelines for the administration of government created records.

The **DIVISION OF ACCOUNTS AND CONTROL**, through the **OFFICE OF THE STATE CONTROLLER**, oversees state fiscal rules and maintains the state’s financial records through the Colorado Operations Resource Engine (CORE), the state's accounting system. All agencies that use CORE pay to support its cost of operations through **CORE Operations** common policy.

The **OFFICE OF ADMINISTRATIVE COURTS** provides a centralized, independent administrative law adjudication system, including hearing cases for workers' compensation, public benefits, professional licensing, and Fair Campaign Practices Act complaints filed with the Secretary of State.

The **DIVISION OF CAPITAL ASSETS** provides planning and maintenance for capital assets owned or leased by the state.

**FACILITIES MAINTENANCE -- CAPITOL COMPLEX** provides building management for state-owned and certain leased facilities and includes assistance with electrical, elevator, plumbing, lighting, HVAC, grounds maintenance, and general maintenance/repair issues.

**FLEET MANAGEMENT** provides oversight for state fleet of vehicles including managing vehicle purchasing and reassignment; fuel, maintenance, repair, and collision management; end of life removal from system via auction and salvage; and operation of the State Motor Pool.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

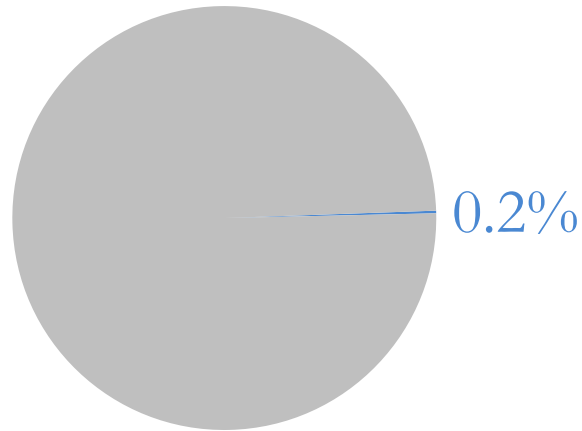
FUNDING SOURCE	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24 *
General Fund	\$29,410,841	\$20,640,304	\$27,583,193	\$62,424,303
Cash Funds	12,453,212	13,850,806	11,866,621	17,962,257
Reappropriated Funds	181,060,147	190,117,422	197,939,532	204,642,263
Federal Funds	0	0	0	0
<b>TOTAL FUNDS</b>	<b>\$222,924,200</b>	<b>\$224,608,532</b>	<b>\$237,389,346</b>	<b>\$285,028,823</b>
Full Time Equiv. Staff	404.1	411.7	443.2	548.5

\*Requested appropriation.

Funding for the Department of Personnel in FY 2022-23 consists of 11.6 percent General Fund, 5.0 percent cash funds, and 83.4 percent reappropriated funds.

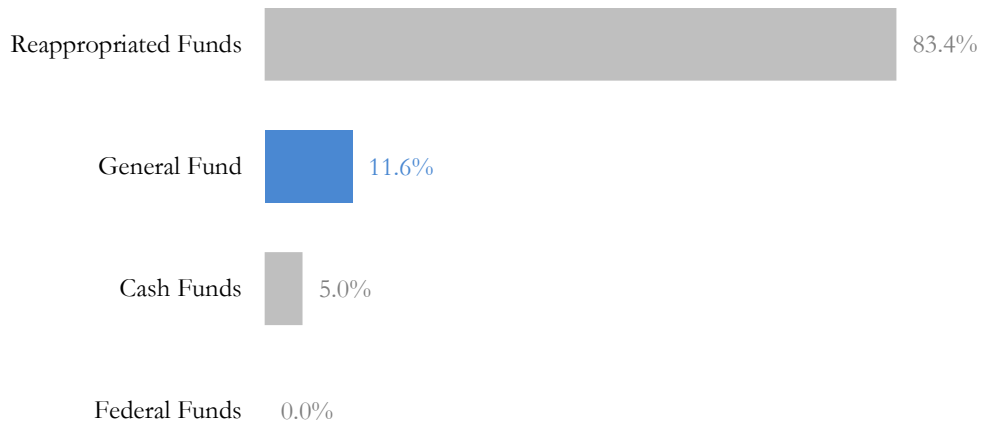
# DEPARTMENT BUDGET: GRAPHIC OVERVIEW

## Department's Share of Statewide General Fund



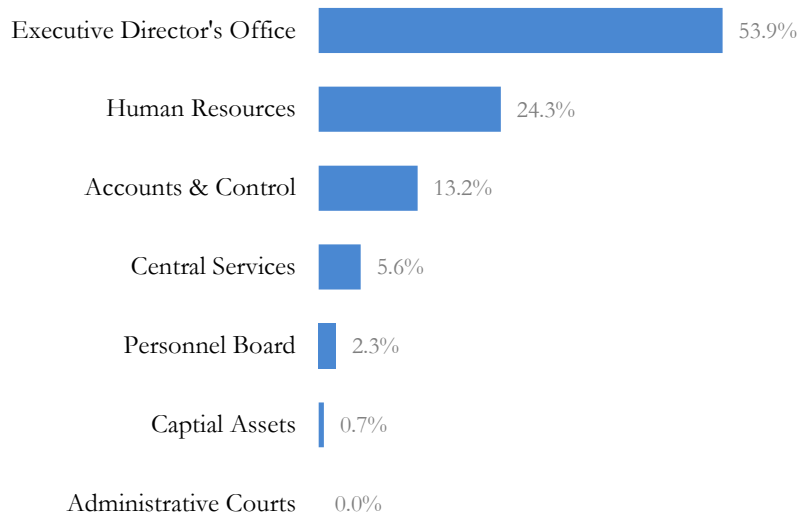
Based on the FY 2022-23 appropriation.

## Department Funding Sources



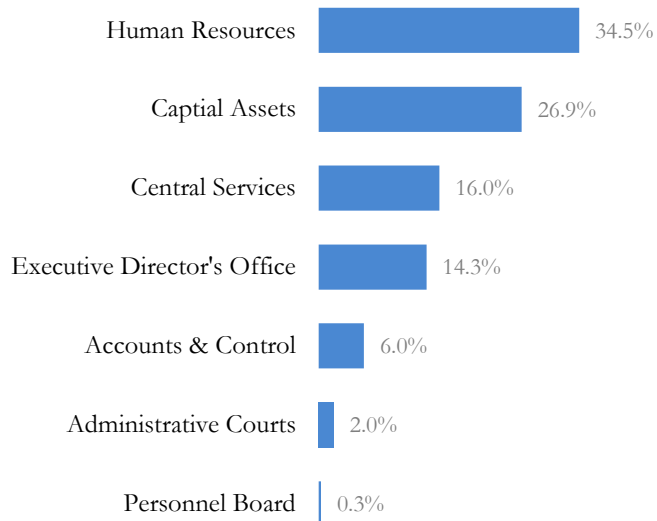
Based on the FY 2022-23 appropriation.

### Distribution of General Fund by Division



Based on the FY 2022-23 appropriation.

### Distribution of Total Funds by Division



Based on the FY 2022-23 appropriation.

## GENERAL FACTORS DRIVING THE BUDGET

The Department is primarily funded through reappropriated funds, which originate as user fees transferred from other agencies for the provision of statewide services.

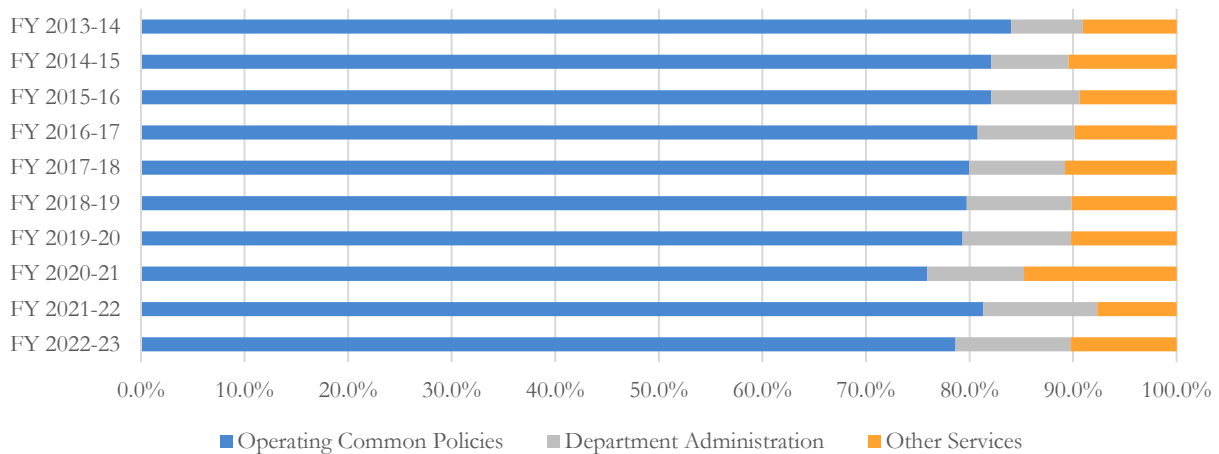
### ADMINISTRATION OF OPERATING COMMON POLICIES

The administration of Operating Common Policies assigned to the Department is the primary factor driving the Department’s budget. The Department administers common policies for:

- three Risk Management programs, including property insurance, liability insurance, and workers’ compensation coverage;
- the management of State fleet of vehicles;
- maintaining the State accounting system, i.e., Colorado Open Resource Engine (or “CORE”);
- providing statewide document- and data-related services;
- administrative law adjudication services; and
- managing the state-owned Capitol Complex facilities and grounds.

On average over the last decade, Operating Common Policies have accounted for approximately 83.7 percent of the Department’s annual budget. Other services provided by the Department, including statewide human resources, the Colorado State Archives, financial operations, and procurement have averaged 10.2 percent of the annual budget. The Department’s administration made up the remaining 9.4 percent of the annual budget.

Operating Common Policies are the primary driver of the Department's total budget over the last decade.



The two largest portions of Operating Common Policies are the Risk Management programs and the Fleet Management program. These two programs account for approximately 67.5 percent of the Operating Common Policies annually, or 54.4 percent of the department’s total operating budget.

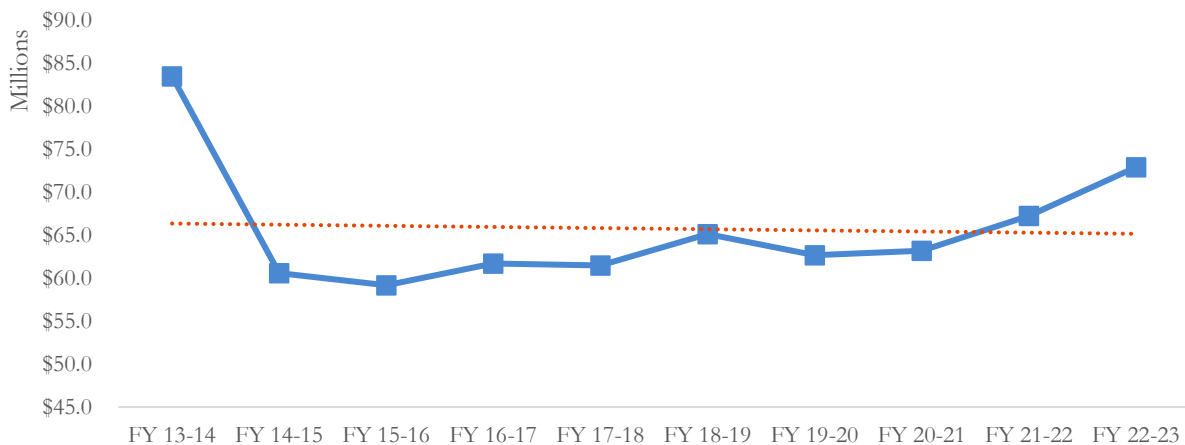
## RISK MANAGEMENT

The state's Risk Management Unit provides insurance coverage to departments and state agencies for workers' compensation and property and liability insurance. The state is self-insured for workers' compensation and liability and purchases property insurance from a commercial insurer. By industry standards, the State of Colorado is considered self-insured because it covers the liability for losses in each program area up to at least \$100,000, though many events are covered at considerably higher limits. The state also carries “excess” policies that protect it from extreme cases where a particular loss could jeopardize the overall solvency of the risk management funds.

STATEWIDE RISK MANAGEMENT SERVICES - PREMIUMS AND ADMINISTRATIVE EXPENSES					
	FY 17-18 ACTUAL	FY 18-19 ACTUAL	FY 19-20 ACTUAL	FY 20-21 ACTUAL	FY 21-22 ACTUAL
Workers' Comp. Claims and Excess Policy	29,989,776	30,052,835	29,235,898	31,943,203	30,651,674
Property Policies and Deductibles and Payouts	17,071,763	9,737,095	11,333,363	13,737,316	13,076,298
Liability Claims and Excess Policy	4,700,588	4,747,431	7,612,819	4,392,843	6,403,438
<b>a. Subtotal Claims, Premiums, &amp; Deductibles</b>	<b>51,762,127</b>	<b>44,537,361</b>	<b>48,182,080</b>	<b>50,073,362</b>	<b>50,131,410</b>
Claims, Premiums, & Deductibles percent of total	85.3%	83.6%	84.0%	85.9%	83.4%
Workers' Comp. Legal Services	1,899,076	1,605,886	2,075,660	1,557,645	1,215,954
Liability Legal Services	3,920,646	4,038,258	3,990,682	3,972,734	5,826,818
<b>b. Subtotal Risk Mgmt. Legal Services</b>	<b>\$5,819,722</b>	<b>\$5,644,144</b>	<b>\$6,066,342</b>	<b>\$5,530,379</b>	<b>\$7,042,772</b>
Legal Services as percent of total	9.6%	10.6%	10.6%	9.5%	11.7%
c. Risk Mgmt. Admin. Expense and TPA Fees	3,130,067	3,119,614	3,117,261	2,673,282	2,933,990
Administrative Expense Percentage	5.2%	5.9%	5.4%	4.6%	4.9%
<b>Total Risk Management (a+b+c)</b>	<b>60,711,916</b>	<b>53,301,119</b>	<b>57,365,683</b>	<b>58,277,023</b>	<b>60,108,172</b>

Policy claims, premiums, and deductibles are the largest share of expenditures for these services. Appropriations and allocations from state agencies for risk management coverage are calculated using actuarially-determined prospective claims losses. The larger higher education institutions administer their own risk management programs, and for those programs, funds are not included in the above table and following chart.

Over the last decade, Risk Management appropriations have remained relatively constant, with only slight year over year variance.





The Risk Management common policy had significant increases in FY 2021-22 and FY 2022-23. In FY 2021-22, there was a change in the judiciary that resulted in more liability claims being paid out. The cybersecurity insurance primary carrier being used dropped coverage for public entities, forcing the use of the only other policy carrier, which has higher premium and deductibles. Senate Bill 21-088 (Child Sexual Abuse Accountability Act) increased the estimated legal expenses and claim payouts within the Liability Fund.

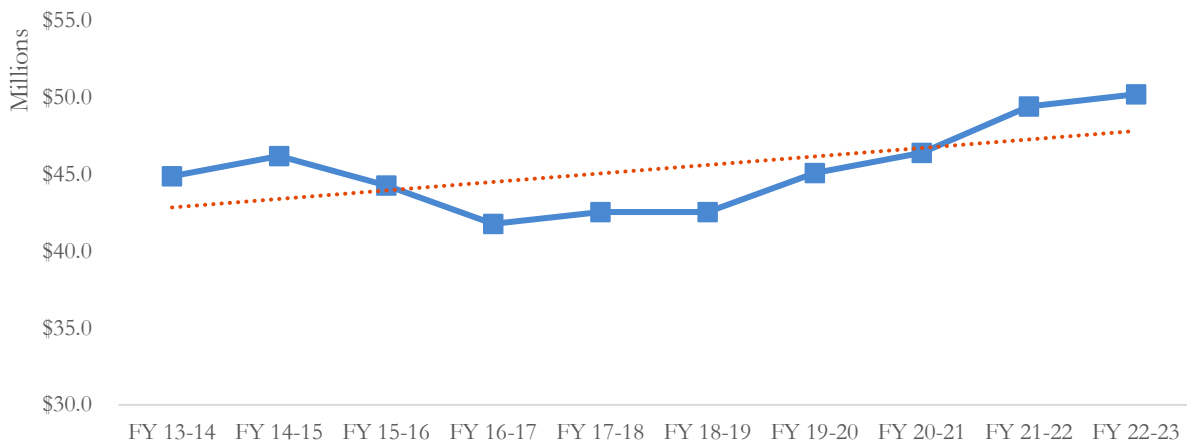
In FY 2022-23, there were year-over-year increases in the liability excess policy and legal services appropriation totaling \$1.6 million and \$1.5 million reappropriated funds, respectively. Additionally, two bills appropriated a total of \$1.2 million General Fund: S.B. 22-097 (Whistleblower Protection Health & Safety) and S.B. 22-163 (Establish State Procurement Equity Program). Senate Bill 22-097 expanded protections for workers who report concerns about health and safety, or violations of health and safety rules, to their employers. Senate Bill 22-163 established the State Procurement Equity Program, which works with stakeholders towards the goal of reducing disparities between the availability of historically underutilized businesses and the utilization of such businesses in state procurement.

### STATE FLEET PROGRAM

Section 24-30-1104 (2)(a), C.R.S., grants the Department authority to administer the state's fleet management program, which purchases vehicles, manages maintenance and repairs, manages the fleet, auctions older vehicles, and manages the state motor pool. The Fleet Management program is housed in the Department's Division of Capital Assets.

Vehicle costs include variable and fixed expenses. Variable costs are billed at a rate per mile based on department and vehicle type and are typically paid from operating expenses line items. Variable costs include insurance, fuel, maintenance, and repairs. Fixed costs include the lease payments and the Department's vehicle management fee and are included in each department's *Vehicle Lease Payments* line item. The Department acquires lease-purchase financing for replacement vehicles and additional vehicles approved in budget requests. Leases vary between 72 and 120 months with the exception of State Patrol vehicles, which are leased for 48 months.

Over the last decade, Fleet Management appropriations have increased by 12.0 percent, or \$5.3 million reappropriated funds.



The Department's vehicle ordering process is governed by statute, Section 24-30-1104 (2)(c), C.R.S., and the Executive Orders of current and former Governors focusing on alternative fuel vehicles<sup>1, 2</sup> (AFVs) and Zero-Emission Vehicles<sup>3</sup> (ZEVs), such as electric vehicles. The program provides a menu-approach, which allows agencies to identify the correct ZEV, AFV, or combustion engine vehicle available for their needs. Statute requires the Department to purchase AFV capable vehicles whenever the base cost or lifecycle cost is not more than 10 percent above the cost of the gasoline alternative when its use is congruent with such vehicles.

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<sup>1</sup> Executive Order No. 2018 026 Greening of State Government, is accessible at:

[https://drive.google.com/a/state.co.us/file/d/1BbJrBa351-jN47sW18wC\\_Uaa\\_duP0Z9/view?usp=sharing](https://drive.google.com/a/state.co.us/file/d/1BbJrBa351-jN47sW18wC_Uaa_duP0Z9/view?usp=sharing)

<sup>2</sup> Executive Order No. 2018 006 Maintaining Progress on Clean Vehicles, is accessible at:

[https://drive.google.com/a/state.co.us/file/d/1GNxVJrewxSc5yVo2t\\_3AV3D3eU6LlOFT/view?usp=sharing](https://drive.google.com/a/state.co.us/file/d/1GNxVJrewxSc5yVo2t_3AV3D3eU6LlOFT/view?usp=sharing)

<sup>3</sup> Executive Order No. 2019 002 Supporting Transition to Zero Emission Vehicles, is accessible at:

[https://www.colorado.gov/governor/sites/default/files/inline-files/b\\_2019-002\\_supporting\\_a\\_transition\\_to\\_zero\\_emissions\\_vehicles.pdf](https://www.colorado.gov/governor/sites/default/files/inline-files/b_2019-002_supporting_a_transition_to_zero_emissions_vehicles.pdf)

## SUMMARY: FY 2022-23 APPROPRIATION & FY 2023-24 REQUEST

DEPARTMENT OF PERSONNEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION:</b>						
H.B. 22-1329 (Long Bill)	\$230,446,221	22,926,329	\$11,477,215	\$196,042,677	\$0	424.8
Other legislation	6,943,125	4,656,864	389,406	1,896,855	0	18.4
<b>TOTAL</b>	<b>\$237,389,346</b>	<b>\$27,583,193</b>	<b>\$11,866,621</b>	<b>\$197,939,532</b>	<b>\$0</b>	<b>443.2</b>
<b>FY 2023-24 REQUESTED APPROPRIATION:</b>						
FY 2022-23 Appropriation	\$237,389,346	27,583,193	\$11,866,621	\$197,939,532	\$0	443.2
R1 COE common policy	0	(467,374)	41,392	425,982	0	0.0
R2 Labor union support team	1,833,908	1,833,908	0	0	0	15.1
R3 COWINS Partnership Agreement amendments	30,004,602	30,004,602	0	0	0	58.9
R4 Centralized sustainability office	478,234	478,234	0	0	0	3.2
R5 Statewide central services support	2,072,601	2,072,601	0	0	0	15.7
R6 Capitol Complex staffing	595,329	0	0	595,329	0	6.9
R7 State fleet management workload	198,073	0	0	198,073	0	1.8
R8 Transfer of Performance Budgeting system	105,562	0	0	105,562	0	1.0
R9 OAC case management system upgrade	219,000	0	219,000	0	0	0.0
R10 IDS inserter equipment	0	0	0	0	0	0.0
R11 Employee engagement survey vendor	285,000	285,000	0	0	0	0.0
R12 Annual fleet vehicle replacements	2,719,485	0	0	2,719,485	0	0.0
Centrally appropriated line items	6,013,461	4,215,948	230,472	1,567,041	0	0.0
Risk management base adjustment	5,958,829	0	0	5,958,829	0	0.0
CORE operations base adjustment	490,940	0	2,176,300	(1,685,360)	0	0.0
Non-prioritized requests	449,348	200,544	10,360	238,444	0	0.0
Indirect cost assessment	331,445	(762,390)	35,276	1,058,559	0	0.0
Capital Complex leased space base adjustment	266,163	0	3,974,157	(3,707,994)	0	0.0
Annualize prior year budget actions	446	219,821	(243,029)	23,654	0	0.0
Procurement card rebate refinance	0	(100,000)	100,000	0	0	0.0
Annualize prior year legislation	(3,459,094)	(2,354,708)	(309,513)	(794,873)	0	2.7
Technical adjustments	(923,855)	(785,076)	(138,779)	0	0	0.0
<b>TOTAL</b>	<b>\$285,028,823</b>	<b>\$62,424,303</b>	<b>\$17,962,257</b>	<b>\$204,642,263</b>	<b>\$0</b>	<b>548.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$47,639,477</b>	<b>\$34,841,110</b>	<b>\$6,095,636</b>	<b>\$6,702,731</b>	<b>\$0</b>	<b>105.3</b>
Percentage Change	20.1%	126.3%	51.4%	3.4%	0.0%	23.8%

**R1 CENTER FOR ORGANIZATIONAL EFFECTIVENESS (COE) COMMON POLICY [REQUIRES LEGISLATION]:** The request includes a decrease of \$467,374 General Fund, offset by an increase of \$41,392 cash funds and \$425,982 reappropriated funds, to change the funding model of the Department's Center for Organizational Effectiveness from a fee-for-service program to a common policy in FY 2023-24. The request annualized to \$482,374 reappropriated funds in FY 2024-25. The request also includes non-prioritized request affecting multiple departments statewide. The Department identifies this request as theory-informed.

The change to a common policy distributes the cost of the COE amongst the various Departments and agencies within the State, showing as non-prioritized requests is operating budgets statewide. The cost distribution carries a General Fund impact, partially offsetting the reduction requested within the Department of Personnel's operating budget. The net impact of the request is an increase of \$425,983 total funds, including a decrease of \$272,416 General Fund, in FY 2023-24.

R1 COE COMMON POLICY FY 2023-24 BUDGET IMPACT					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Personnel	\$0	(\$467,374)	\$41,392	\$425,982	\$0
Statewide	425,983	194,958	130,210	82,805	18,010
Net budget impact	\$425,983	(\$272,416)	\$171,602	\$508,787	\$18,010

**R2 LABOR UNION SUPPORT TEAM:** The request includes an increase of \$1.8 million General Fund and 15.1 FTE in FY 2023-24 to provide additional support with the negotiations and implementation of the COWINS Partnership Agreement and its 38 side agreements. The request annualizes to \$2.3 million General Fund and 19.7 FTE in FY 2024-25 and ongoing. The request also includes a non-prioritized request in the Governor's Office for \$420,341 General Fund and 2.8 FTE in FY 2023-24, annualizing to \$398,653 General Fund and 3.0 FTE in FY 2024-25. The Department indicates that a related supplemental request also will be made.

CROSS-DEPARTMENT IMPACT SUMMARY - R2 LABOR UNION SUPPORT TEAM						
	FY 2022-23		FY 2023-24		FY 2024-25	
	GENERAL FUND	FTE	GENERAL FUND	FTE	GENERAL FUND	FTE
Personnel	\$174,042	1.3	\$1,833,908	15.1	\$2,268,009	19.7
Governor's Office	0	0.0	420,341	2.8	398,653	3.0
Total	\$174,042	1.3	\$2,254,249	17.9	\$2,666,662	22.7

The request more than doubles the current appropriations to the Labor Relations Services subdivision within the Division of Human Resources. The requested FTE includes negotiators, an attorney, data analysts, program and administration support staff, and trainers.

**R3 COWINS PARTNERSHIP AGREEMENT AMENDMENTS:** The request includes an increase of \$30.0 million General Fund and 58.9 FTE in FY 2023-24 to: provide implementation support of Article 31.6 of the COWINS Partnership Agreement; implement professional development bonuses; expand recruitment, marketing, and branding; and expand leadership training programs. The request annualizes to \$27.6 million General Fund and 34.0 FTE in FY 2024-25 and ongoing. The Department indicates that a related supplemental request also will be made.

IMPACT SUMMARY - R3 COWINS PARTNERSHIP AGREEMENT AMENDMENTS										
REQUEST ASPECT	FY 2022-23				FY 2023-24				FY 2024-25	
	GENERAL FUND	FTE			GENERAL FUND	FTE			GENERAL FUND	FTE
		TERM-LIMITED	PERMANENT	TOTAL		TERM-LIMITED	PERMANENT	TOTAL		
Article 31.6 support	\$1,267,083	8.5	0.3	8.8	\$5,004,602	35.6	16.0	51.6	\$2,572,696	26.0
Professional Development	0	0.0	0.0	0.0	15,000,000	0.0	1.8	1.8	15,000,000	2.0
Recruitment and marketing	0	0.0	0.0	0.0	7,500,000	0.0	0.9	0.9	7,500,000	1.0
Leadership Training	0	0.0	0.0	0.0	2,500,000	0.0	4.6	4.6	2,500,000	5.0
Total	\$1,267,083	15.3	0.3	8.8	\$30,004,602	35.6	23.3	58.9	\$27,572,696	34.0

**R4 CENTRALIZED SUSTAINABILITY OFFICE:** The request includes an increase of \$478,234 General Fund and 3.2 FTE in FY 2023-24 to create a central Sustainability Office within the Department to coordinate and implement sustainability practices across state agencies. The request annualizes to \$489,369 General Fund and 3.5 FTE in FY 2024-25 and ongoing. JBC staff is assessing whether or not this request requires legislation.

**R5 STATEWIDE CENTRAL SERVICES SUPPORT:** The request includes an increase of \$2.1 million General Fund and 15.7 FTE in FY 2023-24 to provide additional administrative, human resources, financial operations and reporting, procurement and contract support, and vendor engagement. The request annualizes to \$2.1 million General Fund and 17.0 FTE in FY 2024-25 and ongoing. The additional centralized support staff are intended to address increased workload resulting from steady growth in the number of people employed by the State over the last decade.

IMPACT SUMMARY - R5 STATEWIDE CENTRAL SERVICES SUPPORT					
	FY 2023-24		FY 2023-24		
	GENERAL FUND	FTE	GENERAL FUND	FTE	
Executive Director's Office	\$578,407	2.8	\$605,877		3.0
Div. of Human Resources	635,226	5.5	640,462		6.0
Div. of Accounts and Control	858,968	7.4	872,793		8.0
Total	\$2,072,601	15.7	\$2,119,132		17.0

**R6 CAPITOL COMPLEX STAFFING:** The request includes an increase of \$595,329 reappropriated funds and 6.9 FTE in FY 2023-24 to increase maintenance and groundskeeping staffing within the Capitol Complex. The request annualizes to \$569,312 reappropriated funds and 7.5 FTE in FY 2024-25 and ongoing. The additional staffing resources are to address an increase in ongoing maintenance and groundskeeping work, as well as to accommodate heightened cleaning duties in the Capitol during legislative session to address an increase in small, ad hoc events. The request also includes non-prioritized request affecting multiple departments statewide, as well as having an impact on the Capitol Complex leased space common policy.

R6 CAPITOL COMPLEX STAFFING FY 2023-24 BUDGET IMPACT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Personnel	\$595,329	\$0	\$0	\$595,329	\$0	6.9
Statewide	595,329	367,564	48,568	147,897	31,300	0.0
Net budget impact	\$1,190,658	\$367,564	\$48,568	\$743,226	\$31,300	6.9

**R7 STATE FLEET MANAGEMENT WORKLOAD:** The request includes an increase of \$198,073 reappropriated funds and 1.8 FTE in FY 2023-24 to address workload increases in the management of the State's fleet of vehicles. The request annualizes to \$196,360 reappropriated funds and 2.0 FTE in FY 2024-25 and ongoing.

**R8 TRANSFER OF PERFORMANCE BUDGETING SYSTEM:** The request includes an increase of \$105,562 reappropriated funds and 1.0 FTE in FY 2023-24 and ongoing to transfer the management of the State's Performance Budgeting system from the Governor's Office to the Office of the State Controller. The request also includes non-prioritized request affecting multiple departments statewide.

**R9 OAC CASE MANAGEMENT SYSTEM UPGRADE:** The request includes an increase of \$219,000 cash funds in FY 2023-24 to upgrade the Office of Administrative Courts case management system. The request annualizes to \$21,000 reappropriated funds in FY 2024-25 and ongoing.

**R10 INTEGRATED DOCUMENT SOLUTIONS (IDS) INSERTER EQUIPMENT:** The request includes a budget neutral shift of \$307,243 reappropriated funds between line items within Integrated Document Solutions in FY 2023-24 and ongoing for the lease-purchase of a new high-volume printing inserter to replace the currently underperforming equipment.

**R11 EMPLOYEE ENGAGEMENT SURVEY VENDOR:** The request includes an increase of \$285,000 General Fund in FY 2023-24 to address increased vendor costs for the biennial Employee Engagement Survey, which gives state employees the opportunity to provide operational feedback.

**R12 ANNUAL FLEET VEHICLE REPLACEMENTS:** The request includes an increase of \$2.7 million reappropriated funds to replace 583 vehicles in the State’s fleet. Of the vehicles to be replaced, the Department has identified 410 as potential alternative fuel vehicles (AFV), 259 electric vehicles. For individual State agencies, this request will require an increase of \$659,347 in total funding for the respective Vehicle Lease Payments line item appropriations, with an estimated \$16,365 increase in General Fund in FY 2023-24. The request also includes non-prioritized request affecting multiple departments statewide

**CENTRALLY APPROPRIATED LINE ITEMS:** The request includes adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT	\$2,349,611	\$663,657	\$90,500	\$1,595,454	\$0	0.0
Salary survey	1,929,591	838,534	63,008	1,028,049	0	0.0
Health, life, and dental	1,086,364	597,313	1,817	487,234	0	0.0
Legal services	305,206	277,738	105,266	(77,798)	0	0.0
Capitol Complex leased space	248,510	1,472,232	(9,652)	(1,214,070)	0	0.0
AED	233,561	162,059	(3,095)	74,597	0	0.0
SAED	233,561	162,059	(3,095)	74,597	0	0.0
Workers’ compensation	71,574	30,420	3,962	37,192	0	0.0
Vehicle lease payments	38,391	0	390	38,001	0	0.0
Short-term disability	4,304	3,758	(221)	767	0	0.0
PERA Direct Distribution	(265,053)	45,824	(17,991)	(292,886)	0	0.0
Risk management and property adjustment	(149,553)	(18,654)	3,150	(134,049)	0	0.0
CORE adjustment	(53,368)	(10,723)	90	(42,735)	0	0.0
ALJ services	(11,926)	(8,269)	(3,657)	0	0	0.0
Shift differential	(7,312)	0	0	(7,312)	0	0.0
<b>TOTAL</b>	<b>\$6,013,461</b>	<b>\$4,215,948</b>	<b>\$230,472</b>	<b>\$1,567,041</b>	<b>\$0</b>	<b>0.0</b>

**RISK MANAGEMENT BASE ADJUSTMENT:** The request includes an increase of \$5,958,829 reappropriated funds for adjustments to the Risk Management program for anticipated payments to be required by the liability, property, and workers’ compensation components of the common policies. This increase is driven primarily by increases in property policies, liability legal services, and liability claims.

**CORE OPERATIONS BASE ADJUSTMENT:** The request includes an increase \$490,940 total funds, including an increase of \$2.2 million cash funds and a decrease of \$1.7 million reappropriated funds, for CORE operations base adjustments.

**NON-PRIORITIZED REQUESTS:** The request includes the following non-prioritized request items, which are linked to decision items in other departments and common policy decisions.

NON-PRIORITIZED REQUESTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
OIT Budget package	\$238,026	\$83,052	\$8,567	\$146,407	\$0	0.0
DPA Capitol complex staffing	202,411	114,384	1,472	86,555	0	0.0
DPA COE common policy	5,928	2,067	213	3,648	0	0.0
DPA Transfer perf. budgeting to DPA	2,983	1,041	108	1,834	0	0.0
<b>TOTAL</b>	<b>\$449,348</b>	<b>\$200,544</b>	<b>\$10,360</b>	<b>\$238,444</b>	<b>\$0</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The request includes a net increase of \$331,445 total funds, including a decrease of \$762,390 General Fund, for adjustments to indirect costs across the Department.

**CAPITOL COMPLEX LEASED SPACE BASE ADJUSTMENT:** The request includes an increase of \$266,163 total funds, including an increase of \$4.0 million cash funds and a decrease of \$3.7 million reappropriated funds, for base adjustments to the Capitol Complex leased space common policy.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The request includes a net increase of \$446 total funds for prior year budget actions, summarized in the following table.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 13-14 CP2 employee engagement Survey	\$215,000	\$215,000	\$0	\$0	\$0	0.0
FY 20-21 R2 Telematics for state fleet vehicle	214,539	0	0	214,539	0	0.0
FY 22-23 NPBA1 Colorado WINS Partnership Agreement	76,391	31,288	2,499	42,604	0	0.0
FY 22-23 R7 CCLS Svc Cont	54,472	0	(245,528)	300,000	0	0.0
FY 21-22 R4 OAC translation services	35,000	0	0	35,000	0	0.0
FY 22-23 R8 IDS infrastructure refresh	0	0	0	0	0	0.0
FY 22-23 BA4 HCPH pub health emergency end	(295,300)	0	0	(295,300)	0	0.0
FY 22-23 BA3 IDS spending authority	(273,189)	0	0	(273,189)	0	0.0
FY 22-23 Governor's transition funding	(25,000)	(25,000)	0	0	0	0.0
FY 22-23 salary survey	(1,319)	(1,319)	0	0	0	0.0
FY 22-23 R5 Equity for people with disabilities	(79)	(79)	0	0	0	0.0
FY 22-23 R10 Tuition reimbursement program	(69)	(69)	0	0	0	0.0
<b>TOTAL</b>	<b>\$446</b>	<b>\$219,821</b>	<b>(\$243,029)</b>	<b>\$23,654</b>	<b>\$0</b>	<b>0.0</b>

**PROCUREMENT CARD REBATE REFINANCE:** The request includes a net-zero refinance of \$100,000 General Fund with an equivalent amount of cash funds from rebates anticipated from the state purchasing card program. The Procurement Card Program has realized an increase in rebate revenue, which is used to offset General Fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The request includes a net decrease of \$3.5 million total funds to reflect the FY 2023-24 impact of bills passed in previous sessions, summarized in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS	FTE
SB 13-276 Disability Investigational And Pilot Support Fund	\$82,000	\$0	\$82,000	\$0	\$0	0.0
SB 22-051 Policies to reduce emissions from built environment	81,966	81,121	0	845	0	1.0
HB 22-1325 Primary care alternative payment models	18,593	18,593	0	0	0	0.3
HB 22-1007 Assistance landowner wildfire mitigation	664	0	0	664	0	0.0
HB 22-1083 Colorado homeless contribution income tax credit	428	0	0	428	0	0.0
HB 21-1303 Global warming potential for public project materials	0	0	0	0	0	0.1
SB 22-097 Whistleblower protection health/safety	0	(228,499)	0	228,499	0	0.0
SB 22-206 Disaster preparedness and recovery resources	0	0	(19,334)	19,334	0	0.0
SB 22-233 TABOR refund mechanism for FY 2021-22 only	(1,715,635)	0	0	(1,715,635)	0	0.0
SB 22-193 Air quality improvement investments	(750,000)	(750,000)	0	0	0	0.0
HB 22-1397 Statewide equity office	(458,744)	(458,744)	0	0	0	0.9
HB 21-1311 Income tax	(252,574)	0	0	(252,574)	0	0.0
SB 22-163 Establish State procurement equity program	(212,651)	(1,174,013)	0	961,362	0	0.4
SB 14-214 PERA studies conducted by actuarial firm	(125,000)	(125,000)	0	0	0	0.0
SB 22-217 Programs that benefit persons with disabilities	(65,545)	0	(65,545)	0	0	0.0
SB 22-130 State entity authority for public-private partnerships	(18,600)	288,034	(306,634)	0	0	0.0
SB 22-013 Boards and commissions	(14,105)	0	0	(14,105)	0	0.0
HB 22-1026 Alternative transportation options tax credit	(12,194)	0	0	(12,194)	0	0.0
HB 22-1205 Senior housing income tax credit	(11,165)	0	0	(11,165)	0	0.0
HB 22-1337 State Personnel Director's compensation report	(6,200)	(6,200)	0	0	0	0.0
HB 22-1010 Early childhood educator income tax credit	(332)	0	0	(332)	0	0.0
<b>TOTAL</b>	<b>(\$3,459,094)</b>	<b>(\$2,354,708)</b>	<b>(\$309,513)</b>	<b>(\$794,873)</b>	<b>\$0</b>	<b>2.7</b>

**TECHNICAL ADJUSTMENTS:** The request includes a net decrease of \$1.0 million total funds for technical adjustments, summarized in the following table.

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS	FTE
CO state archive digital storage	\$57,834	\$57,834	\$0	\$0	\$0	0.0
OSA software adjust	3,689	3,689	0	0	0	0.0
ADL equiv. payments	(985,378)	(846,599)	(138,779)	0	0	0.0
<b>TOTAL</b>	<b>(\$923,855)</b>	<b>(\$785,076)</b>	<b>(\$138,779)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>



## ISSUE 1: ONE-TIME FUNDING AUTHORIZED IN RECENT LEGISLATIVE SESSIONS

During the 2021 and 2022 legislative sessions, the General Assembly allocated significant one-time funding to the Department of Personnel that included \$750,000 originating as state General Fund and \$1.8 million originating as federal Coronavirus State Fiscal Recovery funds (ARPA funds).

### SUMMARY

- Of the \$2.5 million in one-time General Fund and ARPA funds, \$1.5 million was appropriated during the 2022 legislative session supporting programs in FY 2022-23, the current fiscal year.

### RECOMMENDATION

Staff recommends that the Committee seek updates from all departments during their budget hearings on the use of significant one-time allocations of federal and state funding.

### DISCUSSION

During the 2021 and 2022 legislative sessions, the General Assembly allocated \$2.5 million in one-time funding to the Department of Personnel through appropriations and transfers. For many programs, authority was provided to expend the funds through FY 2023-24 or beyond. To assist the Committee in tracking the use of these funds, the tables below show the sum of allocations provided for FY 2020-21, FY 2021-22, and FY 2022-23 and expenditures through FY 2021-22 by the original source of the funds (General Fund, federal Coronavirus State Fiscal Recovery Funds, and other funds).

#### ALLOCATION AND EXPENDITURE OF ONE-TIME GENERAL FUND

DEPARTMENT OF PERSONNEL ONE-TIME GENERAL FUND			
BILL NUMBER AND SHORT TITLE	APPROPRIATION/ TRANSFER OF FUNDS	ACTUAL EXPENDITURE OF FUNDS THROUGH FY 2022	BRIEF DESCRIPTION OF PROGRAM AND ANTICIPATED USE OF THE FUNDS
S.B. 22-193 Air Quality Improvement Investments	\$750,000	\$0	Appropriated for RTD Eco Passes for state employees.
<b>TOTAL</b>	<b>\$750,000</b>	<b>\$0</b>	

#### ALLOCATION AND EXPENDITURE OF ONE-TIME FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDS (ARPA FUNDS)

DEPARTMENT OF PERSONNEL ONE-TIME FEDERAL ARPA FUNDS			
BILL NUMBER AND SHORT TITLE	APPROPRIATION/ TRANSFER OF FUNDS	ACTUAL EXPENDITURE OF FUNDS THROUGH FY 2022	BRIEF DESCRIPTION OF PROGRAM AND ANTICIPATED USE OF THE FUNDS
H.B. 22-1329 Long Bill operating appropriations	\$293,501	\$0	FY 2022-23 appropriations of \$293,501 to the Department of Personnel
S.B. 21-288 American Rescue Plan Act of 2021 Cash Fund*	0	964,980	Provides funding for OSC administration and compliance of ARPA funds, administration costs of state

DEPARTMENT OF PERSONNEL ONE-TIME FEDERAL ARPA FUNDS			
BILL NUMBER AND SHORT TITLE	APPROPRIATION/ TRANSFER OF FUNDS	ACTUAL EXPENDITURE OF FUNDS THROUGH FY 2022	BRIEF DESCRIPTION OF PROGRAM AND ANTICIPATED USE OF THE FUNDS
			employee COVID testing, and hosting of Electronic Medical Record Systems.
S.B. 21-292 Federal COVID Funding for Victim's Services	500,000	0	Appropriates \$500,000 to the Address Confidentiality Program Fund, which is continuously appropriated.
<b>TOTAL</b>	<b>\$793,501</b>	<b>\$964,980</b>	

\* Of the \$300 million in the ARPA Cash Fund that was provided to the Governor, \$13.6 million was allocated to DPA for various administration and compliance activities. As of the 11/1/22, about \$1.0 million has been obligated for these purposes.

## ALLOCATION AND EXPENDITURE OF ONE-TIME OTHER FUNDS

DEPARTMENT OF PERSONNEL ONE-TIME OTHER FUNDS			
BILL NUMBER AND SHORT TITLE	APPROPRIATION/ TRANSFER OF FUNDS	ACTUAL EXPENDITURE OF FUNDS THROUGH FY 2022	BRIEF DESCRIPTION OF PROGRAM AND ANTICIPATED USE OF THE FUNDS
			Authorizes and diverts funding for capital projects in the Capitol Complex, specifically for Capital Complex renovations projects detailed by the bill. The bill includes a requirement that the Department provide an annual report to the Capital Development Committee starting July 1, 2023.
S.B. 22-239 Buildings in the Capitol Complex	\$26,721,314	\$0	
<b>TOTAL</b>	<b>\$26,721,314</b>	<b>\$0</b>	

## IMPLEMENTATION UPDATES AND ITEMS OF NOTE

**S.B. 22-239 BUILDINGS IN THE CAPITOL COMPLEX:** Diverts statutorily-required appropriations for the depreciation-lease equivalent payment mechanism for FY 2022-23 through FY 2028-29 to the Capitol Complex Renovation Fund for capital construction renovation projects in the Capitol Complex. These payments predominantly originate from the General Fund and are otherwise made to the Capital Construction Fund and Controlled Maintenance Trust Fund.

## ISSUE 2: R1 CENTER FOR ORGANIZATIONAL EFFECTIVENESS COMMON POLICY

The Department of Personnel has requested a restructure and refinance of the Center for Organizational Effectiveness (COE), which would shift its funding from a fee-for-service model to an operating common policy.

### SUMMARY

- The Center for Organizational Effectiveness provides training courses for state employees on topics such as supervision, leadership, diversity, conflict resolution, business writing, computer skills, change management, customer service, violence prevention, and performance management.
- The COE experienced a 56.9 percent drop in revenue in FY 2019-20 from the previous fiscal year, while the Center was only able to reduce expenditures by 25.1 percent. This combination caused the Professional Development Center Cash Fund to end FY 2019-20 with a deficit. The General Assembly subsequently appropriated General Fund to backfill the Profession Development Center Cash Fund.
- The Department has submitted three decision items affecting the Center: R1 (COE program financial restructure), R2 (Labor union support team), and R3 (COWINS Partnership Agreement amendments). These requests are interrelated.

### DISCUSSION

The Center for Organizational Effectiveness, authorized by Section 24-50-122, C.R.S., is housed in the Division of Human Resources within the Department of Personnel (DPA) and supported by the Professional Development Center Cash Fund. The Center offers training and professional development opportunities for State employees, including direct training in leadership coaching, workforce competencies, self-awareness assessments, and coordinates compliance training. Training has traditionally been offered three ways: internal classes, vendor classes, and dedicated agency contracts for specialized courses. There are also many courses offered by external vendors that have been tailored for the State, particularly in the area of supervision, for which fees are charged. If COE's offerings do not meet the specific needs of a department, the department may seek a waiver from COE to pursue contracted employee training through an approved vendor.<sup>4</sup> The Department reports that in FY 2021-22, less than 1,000 people attended COE trainings; this represents less than 4.0 percent of state employees, assuming each attendee was a unique individual.

The Center has identified key learning and development leaders across state agencies and has created a training advisory council called the Learning Leader Community. Once a quarter, the COE hosts the council to discuss learning and development best practices, shared training needs, and identify agency and statewide needs. This allows COE to identify trends, assess programs, and provide the

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<sup>4</sup> Center for Organizational Effectiveness program information and course offerings can be found here: <https://dhr.colorado.gov/state-employees/center-for-organizational-effectiveness>.

most effective and appropriate methods of learning and development statewide. In a recent meeting, the Training Advisory Council stressed the need for mandatory baseline trainings for state employees.

The Center also conducts outreach and marketing, primarily through quarterly meetings with two stakeholder groups: Learning Leader Community and Learning Management System Administrators. In these meetings, staff discuss training projects and build working relationships with agencies contacts. In addition to these meetings, the Center publishes three quarterly newsletters. At the end of each class offered by the Center, participants are informed of other related courses.

## BACKGROUND

Prior to FY 2019-20, the COE struggled to generate enough revenue to over expenditures. The program earned between 25.0-40.0 percent of its annual revenue through direct training opportunities for which participants signed up directly through the COE website. The remainder of its annual revenue was earned from contracting with state agencies who expressed a need for agency-wide training topics, such as hosting effective online meetings and providing customer service. Approximately 60.0-80.0 percent of annual revenue was earned in the second half of the fiscal year. This is when most state departments were able to project their remaining operating budgets and were willing to contract with the COE for training.

PROFESSIONAL DEVELOPMENT CENTER CASH FUND							
	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ACTUAL	FY 2020-21 ACTUAL	FY 2021-22 ACTUAL	FY 2022-23 APPROP.
Beginning balance	\$270,471	\$178,031	\$78,972	\$20	\$1	\$109,081	\$118,478
Revenue from fees	817,402	1,491,065	1,118,445	481,837	314,086	9,397	0
Expenditures	909,842	1,590,124	1,197,397	896,697	205,006	0	0
<b>Surplus/(deficit)</b>	<b>(\$92,440)</b>	<b>(\$99,059)</b>	<b>(\$78,952)</b>	<b>(\$414,860)</b>	<b>\$109,080</b>	<b>\$9,397</b>	<b>\$0</b>
			General Fund subsidy	\$414,841	\$361,386	\$461,674	\$473,158

The second half of FY 2019-20 was particularly troublesome for the COE due to the economic crisis caused by the COVID-19 pandemic, which affected the State and its programs beginning March 2020. Under normal circumstances, departments would have had funds to spend on in-person training programs from March to July 2020. However, during that period many of their employees began to work from home on a day-to-day basis. Furthermore, departments were being directed to limit spending and propose cuts to their budgets to address the anticipated revenue reductions caused by the economic fallout from COVID-19. As a result, the COE experienced a 56.9 percent drop in revenue in FY 2019-20 from the previous fiscal year, while the Center was only able to reduce expenditures by 25.1 percent. This combination caused the Professional Development Center Cash Fund to end FY 2019-20 with a deficit.

The General Assembly has provided the COE with General Fund since FY 2019-20, first as a partial subsidy then fully subsidizing the program. Senate Bill 21-048 (Supplemental Bill) provided supplemental General Fund appropriations in FY 2019-20 (\$414,841) and FY 2020-21 (\$361,386) to backfill the Professional Development Center Cash Fund and offset anticipated revenue loss in each fiscal year, respectively. Starting in FY 2021-22, the General Assembly funded the COE exclusively through General Fund appropriations. While receiving this General Fund subsidy, the COE made the decision not to charge fees for most training offered by their staff. As a result, the Professional Development Center Cash Fund's balance has remained relatively flat with a beginning balance of \$118,478 cash funds for FY 2022-23.

## R1 CENTER FOR ORGANIZATIONAL EFFECTIVENESS COMMON POLICY

The Department requests a program refinance to change the funding structure of the Center from a fee-for-service model to a common policy. The Department contends that a common policy funding structure will ensure that the fundamental training needs for each department are met and that state employees are receiving training using a consistent approach. The Department argues that the restructure will allow the COE to focus on courses that are necessary for state employees and will increase access to their services.

The Department proposes moving the funding source for COE to a common policy beginning in FY 2023-24. Common policies represent a standard method of determining the budget need, by department, for services that are centrally provided by DPA. Funding requests for these services are developed using a common methodology for each department. This ensures that consistent assumptions are used while developing budget requests for specific line item appropriations within individual departments. By utilizing a common policy methodology, the COE gain a reliable and stable funding source. The allocation base for the common policy would be the total program cost adjusted for a target Fund balance of 16.5 percent of projected expenditure, or an amount equal to the statutory cash fund uncommitted reserve established by Section 24-75-402 (2)(e.5) and (3), C.R.S.

COE COMMON POLICY COST BASIS FOR FY 2023-24	
Program costs	\$283,134
Remaining General Fund for FY 2022-23 Paydate Shift	(15,000)
POTS	53,610
Indirect Cost Assessment Line Item	145,630
<i>Subtotal - Projected Expenses</i>	<i>\$467,374</i>
Fund balance target (16.5%)	77,117
Fund balance adjustment	(118,509)
<b>Allocation base</b>	<b>\$425,982</b>

The allocation base is then proportionally split amongst the various affected departments. The Department is proposing using the total state employee count, by department, to distribute the cost of the COE through a common policy. In their R1 request, the Department calculates there are 26,945 employees. However, due to the timing of writing budget requests, this count does not include employees at the Department of Early Childhood. JBC staff used the FTE count from the Department of Early Childhood's FY 2023-24 request to modify the total state employee count provided by DPA. The following table details the obligation for each affected department under this common policy proposal.

R1 COE COMMON POLICY DEPARTMENT ALLOCATION							
DEPARTMENT	EMPLOYEE COUNT	ALLOCATION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS
Agriculture	394	1.5%	\$6,179	\$6,179	\$0	\$0	\$0
Corrections	5,695	21.0%	89,312	89,312	0	0	0
Early Childhood <sup>1</sup>	218	0.8%	3,419	3,419	0	0	0
Education	700	2.6%	10,978	0	0	10,978	0
Governor	1,210	4.5%	18,976	3,733	0	15,243	0
Health Care Policy and Financing	638	2.3%	10,005	3,689	1,091	392	4,833
Higher Education	224	0.8%	3,513	0	2,713	800	0
Human Services	4,621	17.0%	72,469	28,987	0	43,481	0
Labor and Employment	1,453	5.3%	22,787	1,880	8,554	110	12,243
Law	543	2.0%	8,516	2,250	1,120	4,845	301
Local Affairs	229	0.8%	3,591	1,065	729	1,164	633
Military and Veterans Affairs	185	0.7%	2,901	2,901	0	0	0

R1 COE COMMON POLICY DEPARTMENT ALLOCATION							
DEPARTMENT	EMPLOYEE COUNT	ALLOCATION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS
Natural Resources	1,788	6.6%	28,040	4,444	22,723	873	0
Personnel	375	1.4%	5,881	2,051	211	3,619	0
Public Health and Environment	1,755	6.5%	27,523	27,523	0	0	0
Public Safety	1,842	6.8%	28,887	7,849	19,738	1,300	0
Regulatory Agencies	567	2.1%	8,892	350	8,542	0	0
Revenue	1,508	5.6%	23,649	9,001	14,648	0	0
State	135	0.5%	2,117	0	2,117	0	0
Transportation	3,049	11.2%	47,816	0	47,816	0	0
Treasury	34	0.1%	533	325	208	0	0
Total	27,163	100.0%	\$425,983	\$194,958	\$130,210	\$82,805	\$18,010

<sup>1</sup> JBC staff assumed DEC funding would be exclusively General Fund for the purposes of this briefing.

### IMPACT OF OTHER DEPARTMENT REQUESTS – R2 AND R3

Taken in isolation, the Department’s request to transition the COE from a fee-for-service model to a common policy seem almost innocuous. However, contained within their R2 (Labor union support team) and R3 (COWINS Partnership Agreement amendments) requests are elements that would greatly expand the Center for Organizational Effectiveness and its cost basis. Both requests seek to add permanent FTE, while the R3 request also includes funding for program and course expansion.

The Department’s R2 request includes an increase of \$220,365 General Fund and 1.8 FTE in FY 2023-24 for the COE, which would annualize to \$225,072 General Fund and 2.0 FTE in FY 2024-25 and ongoing. These FTE would create and provide training to departments and agencies to assist in the preparation for negotiating side agreements to the Partnership Agreement. Side agreements are renegotiated approximately every three years. The Department believes that the COE is well positioned to assist affected agencies as a centralized training provider to ensure consistency in negotiations.

The Department’s R3 request includes an increase of \$2.5 million General Fund and 4.6 FTE in FY 2023-24 for the COE, which would annualize to \$2.5 million General Fund and 5.0 FTE in FY 2024-25 and ongoing. The requested funding and FTE would function as organizational consultants focusing on leadership training, management coaching, change management related to employee retention. The leadership training would also attempt to develop courses to help state employees understand and navigate the compensation changes brought about but the amendments to the Partnership Agreement.

If the R1, R2, and R3 requests are approved as submitted, JBC staff assumes that those aspects affecting the COE would be wrapped into the common policy cost basis and allocated to the various departments. Based on those assumptions, the COE common policy would balloon to \$3.6 million total funds, including \$1.6 million General Fund.

R1 COE COMMON POLICY DEPARTMENT ALLOCATION - ASSUMING R2 AND R3 APPROVAL							
DEPARTMENT	EMPLOYEE COUNT	ALLOCATION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS
Agriculture	394	1.5%	\$51,497	\$51,497	\$0	\$0	\$0
Corrections	5,695	21.0%	744,348	744,348	0	0	0
Early Childhood <sup>1</sup>	218	0.8%	28,493	28,493	0	0	0
Education	700	2.6%	91,491	0	0	91,491	0
Governor	1,210	4.5%	158,149	31,109	0	127,040	0

**R1 COE COMMON POLICY DEPARTMENT ALLOCATION - ASSUMING R2 AND R3 APPROVAL**

DEPARTMENT	EMPLOYEE COUNT	ALLOCATION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROP FUNDS	FEDERAL FUNDS
Health Care Policy and Financing	638	2.3%	83,388	30,748	9,094	3,266	40,280
Higher Education	224	0.8%	29,277	0	22,613	6,664	0
Human Services	4,621	17.0%	603,974	241,590	0	362,385	0
Labor and Employment	1,453	5.3%	189,910	15,667	71,290	918	102,036
Law	543	2.0%	70,971	18,751	9,334	40,380	2,505
Local Affairs	229	0.8%	29,931	8,880	6,077	9,699	5,275
Military and Veterans Affairs	185	0.7%	24,180	24,180	0	0	0
Natural Resources	1,788	6.6%	233,695	37,038	189,382	7,275	0
Personnel	375	1.4%	49,013	17,090	1,761	30,162	0
Public Health and Environment	1,755	6.5%	229,382	229,382	0	0	0
Public Safety	1,842	6.8%	240,753	65,417	164,498	10,838	0
Regulatory Agencies	567	2.1%	74,108	2,918	71,190	0	0
Revenue	1,508	5.6%	197,099	75,020	122,079	0	0
State	135	0.5%	17,645	0	17,645	0	0
Transportation	3,049	11.2%	398,511	0	398,511	0	0
Treasury	34	0.1%	4,444	2,709	1,735	0	0
<b>Total</b>	<b>27,163</b>	<b>100.0%</b>	<b>\$3,550,260</b>	<b>\$1,624,837</b>	<b>\$1,085,208</b>	<b>\$690,118</b>	<b>\$150,096</b>

<sup>1</sup> JBC staff assumed DEC funding would be exclusively General Fund for the purposes of this briefing.

**COMMON POLICY CRITERIA AND CONSIDERATIONS**

There are several aspects of the Department’s request that would benefit from deeper consideration. When looking at both compensation and operating common policies, there are some common elements shared by all. Common policies help to manage obligatory, centralized expenditures and programs, such as Vehicle Lease Payments or Health, Life, and Dental. In the case of the proposed COE common policy, the programs and training offered by COE is voluntary; required trainings (e.g., compliance training) is generally managed by each individual agency or department. Creating a common policy for a strictly voluntary program would invariably lead to a portion of the departments subsidizing the training of employees not in their employ.

Common policies generally utilize an allocation methodology based on actual usage. For instance, only those departments that utilized Capitol Complex leased space are included in the allocation for that common policy. Under the proposed COE common policy, the allocation methodology is based on raw FTE count and does not take into consideration actual or potential usage of their programming by department. This, too, could create a scenario where a subset of departments pays for the training of employees not on their payroll.

Lastly, the size and scope of a program is a consideration when contemplating common policies. If, for the sake of argument, R1 is approved but R2 and R3 are denied, then the COE common policy would be orders of magnitude smaller than every other common policy. Given the current size and statewide usage of the COE, a fee-for-service model may be more economical and equitable.

## ISSUE 2: OPERATING COMMON POLICIES – OVERVIEW AND REQUESTS

The Department of Personnel currently administers centralized budgeting policies described as Operating Common Policies. These policies refer to an array of statewide services, including Administrative Law Judge Services, Workers' Compensation, Payment to Risk Management and Property Funds, Capitol Complex Leased Space and Utilities, CORE Operations, Vehicle Lease Payments, and the Document Solutions Group.

### SUMMARY

- For FY 2023-24 there are three decision items that affect the Operating Common Policies: R6 (Capital Complex leased space staffing), R9 (OAC case management system upgrade), and R12 R7 (Annual fleet vehicle replacements).
- Operating common policies are directly dependent upon compensation policies because the costs of personnel are included in the calculation to determine the program overhead that needs to be recovered from state agencies participating in each policy. Sometimes these changes do not require adjustments but in extreme cases, JBC staff may need to come back to the Committee to incorporate unanticipated funding changes.
- The allocation of costs for operating the Workers' Compensation, risk liability, and property liability programs are each calculated based on an actuarial analysis of the previous three years of actual claims by each agency. The remaining operating common policies are allocated based upon each agency's actual usage in the most recent fiscal year (FY 2021-22 values are used to allocate policies in the FY 2023-24 request).

### DISCUSSION

Operating common policies refer to an array of statewide services provided by the Department of Personnel (DPA). Departments request appropriations to pay DPA for services through these Operating Common Policy line items, often centrally appropriated in a department's administrative section (e.g. Executive Director's Office) Long Bill section. DPA's appropriation reflects corresponding reappropriated funds spending authority in order to expend the money received from billing other agencies for services. Operating common policies include:

- Administrative Law Judge Services,
- Workers' Compensation,
- Payment to Risk Management and Property Funds,
- Capitol Complex Leased Space,
- Utilities,
- CORE Operations,
- Vehicle Lease Payments, and
- Document Solutions Group.



The requested amounts for operating common policies are calculated by the Department of Personnel, based on the total estimated program need for FY 2022-23. The requested amounts for the following Operating Common Policy line items appear in departments' individual budget submissions. The following section will provide an overview of each Operating Common Policy and its FY 2022-23 request.

### ADMINISTRATIVE LAW JUDGE SERVICES

The Colorado Office of Administrative Courts (OAC) was statutorily created in 1976 to provide an easily accessible, independent, and cost-effective administrative law adjudication system in Colorado. The Office is one of 24 central panels of independent Administrative Law Judges (ALJ) in the United States, and provides administrative law hearings to over 50 State agencies, counties and other entities out of its three offices (Denver, Colorado Springs and Grand Junction).

The OAC conducts all workers' compensation merit hearings for the entire State; public benefits cases (Colorado Works/TANF, Medicaid, etc.); all professional licensing board work involving the denial, revocation, suspension or other discipline of holders of a professional license (such as doctors, nurses, architects, real estate brokers, engineers, etc.); teacher dismissal cases, and all Secretary of State cases where a citizen has filed a complaint under the Fair Campaign Practices Act. In addition, the Office conducts mediations and settlement conferences.

ADMINISTRATIVE LAW JUDGE SERVICES TOTAL PROGRAM COSTS					
	FY 2020-21 Appropriated	FY 2021-22 Appropriation	FY 2022-23 Requested	FY 2023-24 Requested	Change from FY 2022-23
Personal Services Base	\$4,118,645	\$4,137,018	\$4,560,383	\$4,707,249	3.2%
Total Compensation Common Policies	962,904	917,725	1,130,862	1,068,615	(5.5%)
Operating and OIT Common Policies	1,127,294	1,206,921	1,307,364	1,395,612	6.8%
Operating Expenses	172,233	172,233	172,233	172,233	0.0%
Indirect Costs	270,464	270,464	99,227	178,659	80.1%
Fund Balance Adjustment	(367,821)	(650,744)	(322,369)	(1,421,875)	341.1%
<b>Total Program Cost</b>	<b>\$6,283,719</b>	<b>\$6,053,617</b>	<b>\$6,947,700</b>	<b>\$6,100,493</b>	<b>n/a</b>
<i>Annual Change</i>	<i>(3.4%)</i>	<i>(3.7%)</i>	<i>14.8%</i>	<i>(12.2%)</i>	<i>n/a</i>

Each state agency that utilizes services of the OAC receives an appropriation for Administrative Law Judge Services, which the agencies then utilize to pay DPA and is reflected as reappropriated funds in DPA's budget. For non-state agencies, the Department direct bills those persons and entities; thus, they are not included in the common policy build.

### WORKERS' COMPENSATION & PAYMENTS TO RISK MANAGEMENT AND PROPERTY FUNDS

The Risk Management Unit is located within the Division of Human Resources. It manages the State's self-funded property, liability, and workers' compensation insurance programs. The State's Payment to Risk Management and Property Funds common policy consists of two programs: the Liability Program and the Property Program.

### WORKERS' COMPENSATION

This line item provides funding for payments made to the Department of Personnel & Administration (DPA) to support the State's Workers' Compensation program. To develop its annual request, the Department contracts with an actuary to estimate two primary components of the overall workers' compensation allocations for each department. First, the actuary estimates the total current liability

the State is facing based on a three-year analysis of actual losses and/or claims by each department. Then, the actuary estimates the allocation for each department as a percent of the total.

The following table shows the development of the overhead costs for the Risk Management Unit, which includes the workers' compensation, property, and liability programs. The Department allocates the overhead costs to each program proportionally, based on the total estimated personal services expenditures for each program.

### LIABILITY AND PROPERTY PROGRAMS

The Liability Program manages claims and lawsuits filed against the State for negligence in occurrences such as automobile accidents, employment discrimination, and road maintenance. During a typical year, approximately 1,800 liability claims are filed against the State, most of which are dismissed due to the Colorado Governmental Immunity Act (CGIA). The majority of expenditures from the Liability Premiums line item are related to federal law, where the focus is on civil rights and employment discrimination. For individual departments, the liability portion of department-wide expenditures is caught in the Payment to Risk Management and Property Funds line item, which also includes the Property Premiums described below.

The Property Program manages the State's incurred costs for self-insured property exposures (e.g., floods, wind, fires, and theft). The Risk Management Unit administers large policy deductibles, and pursuant to statute, State agencies and institutions of higher education pay the first \$5,000 per claim. Policy premiums are allocated to State agencies and institutions of higher education based on pro-rata building and content values.

RISK MANAGEMENT PROGRAM OVERHEAD APPROPRIATIONS HISTORY							
DESCRIPTION	FY 2020-21 APPROPRIATED	FY 2021-22 APPROPRIATION	FY 2022-23 APPROPRIATION	FY 2023-24 REQUESTED	LIABILITY PROGRAM	PROPERTY PROGRAM	WORKERS COMP
<b>Request Year Overhead Allocation %</b>				100.0%	43.0%	7.0%	50.0%
Personal Services	\$830,118	\$830,118	\$872,365	\$894,145	\$384,482	\$62,590	\$447,073
Compensation Common Policies	220,374	187,047	218,744	217,110	93,487	15,742	107,881
Operating and OIT Common Policies	233,271	272,776	288,389	235,666	111,394	29,475	94,798
Operating Expenses	62,318	62,318	63,668	67,488	29,020	4,724	33,744
Indirect Cost Allocation	52,100	221,231	277,930	277,930	119,510	19,455	138,965
<b>Total Program Costs</b>	<b>\$1,398,181</b>	<b>\$1,573,490</b>	<b>\$1,721,096</b>	<b>\$1,692,339</b>	<b>\$737,893</b>	<b>\$131,986</b>	<b>\$822,461</b>
<i>Annual Change</i>	<i>(9.7%)</i>	<i>12.5%</i>	<i>9.4%</i>	<i>(1.7%)</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>

### CAPITOL COMPLEX

The Capitol Complex group offers full service facility management within 18 core state buildings, including the State Capitol building, the Governor's Residence, State Services Building, Human Services Building, the Legislative Services Building and other state-owned office facilities. The group provides building maintenance including HVAC, plumbing, electrical, lights, general maintenance, day and evening custodial services (in-house and contractor), grounds maintenance, snow removal, and building external security. The group also provides the public with special event permits, information resources, and conference center availability.

The Department is required by statute to recover only the costs associated with operating and maintaining the buildings within the Capitol Complex. Therefore, the Department is generally not allowed to under or over-recover funding from the agencies occupying Capitol Complex space.

Capitol Complex Leased Space (CCLS) allocations are determined by aggregating the costs associated with maintaining the program to an allocable pool, then splitting it among all user agencies. These costs are aggregated for each of the three primary campuses: Camp George West in Golden, Grand Junction, and Denver. Once the total costs are determined, the Department calculates the effective rate per square foot by dividing the total cost of the allocable pool by the total number of square feet in the complex. Next, the Department distributes the total cost among each department based on the square feet each department occupies at each campus. The following table provides the total estimated costs for the Capitol Complex Lease Space request and a comparison to previous year appropriations.

CAPITOL COMPLEX LEASED SPACE APPROPRIATIONS HISTORY				
DESCRIPTION	FY 2020-21 APPROPRIATED	FY 2021-22 APPROPRIATION	FY 2022-23 APPROPRIATION	FY 2023-24 REQUESTED
Personal Services	\$3,474,459	\$3,574,314	\$3,637,669	\$3,755,982
Compensation Common Policies	1,120,546	1,048,963	1,242,489	1,395,364
Operating Expenses	2,705,456	2,705,456	2,705,456	3,005,456
DCA Admin Allocation	439,020	408,858	401,242	445,254
Capitol Complex Repairs	56,520	56,520	56,520	56,520
Operating and OIT Common Policies	1,468,418	1,588,322	1,759,072	1,759,617
Depreciation Estimate	245,000	290,000	290,000	290,000
Energy Performance Depreciation	2,138,125	2,140,000	2,140,000	2,140,000
Utilities	3,358,657	3,370,656	3,398,380	3,737,619
Capitol Complex Security	504,707	504,707	555,986	589,345
Indirect Cost Assessment	1,177,859	1,177,859	338,799	490,737
Rent from Leased Sprint Tower Space	(47,618)	(47,618)	(47,618)	(57,141)
<b>Total Base Costs</b>	\$16,641,149	\$16,818,038	\$16,477,995	\$17,608,752
Reserve Balance Adjustment	(1,487,178)	(463,101)	(669,219)	(2,177,521)
<b>Total Allocable Cost</b>	<b>\$15,153,971</b>	<b>\$16,354,937</b>	<b>\$15,808,776</b>	<b>\$15,431,231</b>
<i>Annual change</i>	<i>7.6%</i>	<i>7.9%</i>	<i>(3.3%)</i>	<i>(2.4%)</i>
Allocated Square Feet	1,273,241	1,273,241	1,273,241	1,227,350
<i>Average Cost Per Square Foot</i>	<i>\$11.90</i>	<i>\$12.85</i>	<i>\$12.42</i>	<i>\$12.57</i>

The following table provides the total allocated cost, allocated square footage, and estimated rate per square foot by campus in FY 2023-24.

FY 2023-24 ESTIMATED COST PER SQUARE FOOT					
DESCRIPTION	DOWNTOWN DENVER	PIERCE STREET	NORTH CAMPUS	GRAND JUNCTION	CAMP GEORGE WEST
Total allocated cost	\$13,830,163	\$800,251	\$257,958	\$298,853	\$244,005
Allocated square footage	753,625	88,791	89,534	35,163	260,237
Rate per square foot	\$18.35	\$9.01	\$2.88	\$8.50	\$0.94

For FY 2023-24, the Department requests (R6) an increase of \$595,329 reappropriated funds and 6.9 FTE in FY 2023-24 to increase maintenance and groundskeeping staffing within the Capitol Complex.

## UTILITIES

For FY 2023-24, DPA has continued the established utilities methodology for the common policy submission, with the exception of the elimination of Camp George West utilities. Agencies occupying Camp George West are now charged directly for utilities use, except for water and sewer. In addition to utilities costs, the utilities line item is used to pay interest and principal payments for performance contracts.

UTILITIES LINE ITEM APPROPRIATIONS HISTORY				
DESCRIPTION	FY 2020-21 APPROPRIATED	FY 2021-22 APPROPRIATED	FY 2022-23 REQUESTED	FY 2023-24 REQUESTED
Allocated Utilities	\$2,943,441	\$2,943,441	\$2,943,441	\$3,429,745
Performance Contract Interest Payment	415,216	415,216	415,216	307,874
<b>Subtotal Allocated Amount</b>	<b>\$3,358,657</b>	<b>\$3,358,657</b>	<b>\$3,358,657</b>	<b>\$3,737,619</b>
Performance Contract Principal Payment	1,562,238	1,562,238	1,562,238	1,688,353
True-Up Steam Rebates	371,595	371,595	371,595	380,885
<b>Total Request Utilities Line Item Request</b>	<b>\$5,292,490</b>	<b>\$5,292,490</b>	<b>\$5,292,490</b>	<b>\$5,806,856</b>

## CORE OPERATIONS

In 2011, the State Auditor published a risk assessment regarding the sustainability of operations under the State’s accounting system called Colorado Financial Reporting System (COFRS). The report concluded that “COFRS was at significant risk of partial or complete failure and could no longer be supported by outside vendors or maintained by existing resources within the State.” Responding to the concerning findings of the risk assessment, the General Assembly provided the Governor’s Office of Information Technology (OIT) an appropriation in FY 2012-13, funded through common policy allocations, to begin the modernization of COFRS.

The replacement system for COFRS now operates as the Colorado Operations Resource Engine (CORE). During FY 2015-16, there were over 4,000 CORE users that produced over five million documents or records across budget, accounting and procurement. Starting in FY 2015-16 the administrative responsibility for CORE was transferred from OIT to the Department of Personnel. Along with this transfer, the Department now has oversight of the common policy used to bill agencies for use of the system. Like the other common policies, CORE Operations begins with a calculation for the total program cost associated with operating CORE.

For FY 2023-24, the request includes a base adjustment to the CORE Operations line item for each department based on updated program expenditures anticipated for FY 2022-23. The Department submits an adjustment for this common policy annually, based on final document count in the most recent complete fiscal year. The following table presents the recent appropriated amount for CORE Operations and the requested funding for FY 2023-24.

CORE OPERATIONS APPROPRIATIONS HISTORY				
DESCRIPTION	FY 2020-21 APPROPRIATED	FY 2021-22 APPROPRIATED	FY 2022-23 APPROPRIATED	FY 2023-24 REQUESTED
Personal Services	\$1,955,276	\$1,993,123	\$2,058,016	\$2,118,506
Compensation Common Policies	512,485	475,964	509,666	527,914
Operating Expenses	59,590	59,590	59,590	59,590
Operating and OIT Common Policies	413,313	448,718	566,117	1,443,439
CORE and Support Modules	6,592,280	6,671,656	6,671,656	5,890,480
Depreciation	4,831,451	4,799,040	4,799,040	4,998,246
Indirect Costs	298,341	298,341	389,935	372,646
Fund Balance Adjustments	(3,995,729)	(4,635,423)	(3,904,195)	(6,657,245)
<b>Total</b>	<b>\$10,667,006</b>	<b>\$10,111,008</b>	<b>\$11,149,825</b>	<b>\$8,753,576</b>
<i>Annual change</i>	<i>24.9%</i>	<i>(5.2%)</i>	<i>10.3%</i>	<i>(21.5%)</i>

## VEHICLE LEASE PAYMENTS

This line item includes the costs agencies experience from vehicle lease-purchase loan payments, plus a management fee collected by DPA. These costs represent fixed costs for State vehicles. Depending on the length of the lease-purchase agreement and the replacement policy for State fleet vehicles, departments' Vehicle Lease Payments appropriations are adjusted annually. If warranted, these incremental base adjustments are addressed through a decision item prepared by DPA.

The Vehicle Lease Payments line item does not include the variable costs for State fleet vehicles, which are also set by DPA. Variable costs include the cost of maintenance, fuel, and auto insurance for department operated vehicles. These costs are funded within an individual department's operating and/or program line items. Since these costs are appropriated within individual departments, changes in funding needs for the variable costs will be addressed on a case-by-case basis unless a change is substantial enough to warrant a statewide request. If a statewide request is deemed appropriate, DPA will author the request with the corresponding input from affected agencies. For the November 1 Budget Submission for FY 2021-22 no request for variable vehicle costs has been submitted.

For FY 2023-24, the Department requests (R12) to replace 583 fleet vehicles, of which 410 are designated as potential alternative fuel vehicles. This will require an increase of \$659,347 in appropriated funds for all state agencies' Vehicle Lease Payment appropriations, and an increase of \$2.7 million for the Department's Vehicle Replacement Lease/Purchase line item for FY 2023-24.

VEHICLE LEASE PAYMENTS APPROPRIATIONS HISTORY				
DEPARTMENT	FY 2020-21 APPROPRIATION	FY 2021-22 APPROPRIATED	FY 2022-23 APPROPRIATED	FY 2023-24 REQUESTED
Agriculture	\$292,563	\$415,955	\$381,404	\$373,978
Corrections	3,339,905	3,468,680	3,621,238	3,496,774
Education	26,196	37,040	36,302	35,112
Governor's Office	136,944	155,092	152,206	162,539
Health Care Policy and Financing	0	0	0	0
Higher Education	0	0	0	0
Human Services	1,045,216	1,152,215	1,194,994	1,392,245
Judicial Branch	231,158	263,866	251,846	253,451
Labor And Employment	198,733	191,751	209,850	256,600
Law (Attorney General's Office)	61,432	78,456	88,783	83,975
Legislative Branch	0	0	0	0
Local Affairs	93,280	113,942	117,744	105,597
Military and Veterans Affairs	63,322	71,007	81,399	93,969
Natural Resources	4,481,593	4,847,036	5,097,079	5,209,558
Personnel & Administration	262,054	284,389	208,201	246,592
Public Health and Environment	370,188	386,751	331,447	450,015
Public Safety	8,734,256	10,202,489	11,087,612	10,976,673
Regulatory Agencies	238,619	279,899	276,795	408,068
Revenue	739,688	838,511	738,765	983,234
State	8,239	12,443	10,144	16,776
Transportation	0	0	0	0
Treasury	0	0	0	0
<b>Total</b>	<b>\$20,323,386</b>	<b>\$22,799,522</b>	<b>\$23,885,809</b>	<b>\$24,545,156</b>

## DOCUMENT SOLUTIONS GROUP

The Department's Integrated Documents Solutions includes a subdivision located in Pueblo that serves the scanning and document-related needs of State agencies. This group, the Document Solution Group (DSG), prior to FY 2020-21 employed an expense pooling methodology in setting

the rates for all services it offers. DSG has two major customers, the Department of Revenue and Secretary of State, in addition to several smaller customers with one-time or short-term business needs. In an effort to provide more stability in the rates for its two largest customers, the Department has compiled a created a common policy for those two customers.

As is the standard approach for all other DPA common policies, the common policy cost pool for DSG includes operating expenses, personal services expenses, and overhead allocations. Personal services expenses include salaries aged to include projected total compensation adjustments, projected overtime and temporary labor needs based on projected volumes, and standard POTS related expenditures. Overhead allocations include the program’s share of statewide common policies billed to the Department, such as Legal Services, Leased Space, Payments to Risk Management, Workers’ Compensation, Administrative Law Judge Services, CORE Operations, Vehicle Lease Payments and Payments to OIT. Operating expenses include all standard operating costs associated with providing services. Additionally, personal services contract costs necessary to support the specific equipment required by the Department of Revenue are included in the cost pool. Finally, the cost pool will be reduced by the four-year average of the revenue derived by customers other than the Secretary of State and the Department of Revenue.

DOCUMENT SOLUTION GROUP APPROPRIATIONS HISTORY				
DESCRIPTION	FY 2020-21 APPROPRIATION	FY 2021-22 APPROPRIATED	FY 2022-23 APPROPRIATED	FY 2023-24 REQUESTED
Personal Services	\$3,316,259	\$3,165,008	\$3,229,196	\$3,317,067
DCS Admin Allocation	319,694	325,485	334,016	333,379
Operating and OIT Common Policies	1,001,696	1,117,071	1,164,823	1,051,576
Operating Expenses	985,776	910,187	933,939	926,389
Indirect Costs	74,090	148,659	176,984	193,735
Cost Related to Other Customers	(744,521)	(725,731)	(953,899)	(888,999)
North Campus Only Expenses	7,550	7,550	7,550	7,550
Fund Balance Adjustment	336,003	287,102	295,451	294,983
<b>Total</b>	<b>\$5,296,547</b>	<b>\$5,235,331</b>	<b>\$5,188,060</b>	<b>\$5,235,680</b>

APPENDIX A  
NUMBERS PAGES  
(DIGITAL ONLY)

Appendix A details actual expenditures for the last two state fiscal years, the appropriation for the current fiscal year, and the requested appropriation for next fiscal year. This information is listed by line item and fund source. *Appendix A is only available in the online version of this document.*

## APPENDIX B FOOTNOTES AND INFORMATION REQUESTS

### UPDATE ON 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. Footnotes to the 2022 Long Bill (H.B. 22-1329) can be found at the end of each departmental section of the bill at <https://leg.colorado.gov/bills/hb22-1329>. The Long Bill footnotes relevant to this document are listed below.

- 93 Department of Personnel, Executive Director's Office, Statewide Special Purpose, Office of the State Architect, Statewide Planning Services -- This appropriation remains available until the close of the 2024-25 state fiscal year.

**COMMENT:** Provides roll-forward authority for the statewide planning for the State Architect to assist agency creation of a master building plan.

- 94 Department of Personnel, Division of Capital Assets, Fleet Management Program and Motor Pool Services, Vehicle Replacement Lease/Purchase -- Pursuant to Section 24-82-101 (1)(b) and (1)(c), C.R.S., the Department of Personnel is authorized to enter into a lease-purchase agreement for the approved FY 2022-23 vehicle replacements and additions. The lease-purchase agreement shall be for a period of up to ten years and shall not exceed the amount of \$37,000,000.

**COMMENT:** Provides lease-purchase guidance for Fleet Management.



## UPDATE ON LONG BILL REQUESTS FOR INFORMATION

The Joint Budget Committee annually submits requests for information to executive departments and the judicial branch via letters to the Governor, other elected officials, and the Chief Justice. Each request is associated with one or more specific Long Bill line item(s), and the requests have been prioritized by the Joint Budget Committee as required by Section 2-3-203 (3), C.R.S. Copies of these letters are included as an Appendix in the annual Appropriations Report (Appendix H in the FY 2022-23 Report): <https://leg.colorado.gov/publications/appropriations-report-fiscal-year-2022-23>.

The requests for information relevant to this document are listed below.

### MULTI-DEPARTMENT RFIS

- 1 All Departments -- The Departments are requested to provide by November 1 of each fiscal year responses to the following:
  - Based on the Department's most recent available record, what is the FTE vacancy and turnover rate: (1) by department; (2) by division; (3) by program for programs with at least 20 FTE, and (4) by occupational class for classes that are located within a larger occupational group containing at least 20 FTE?
  - To what does the Department attribute this turnover/vacancy experience?
  - Do the statewide compensation policies or practices administered by the Department of Personnel help or hinder the department in addressing vacancy or turnover issues?
  - How much in vacancy savings has the Department had in each of the past five fiscal years? How has the Department utilized these funds (i.e. increasing salaries within the salary range, providing bonuses or additional pay for certain positions, hiring additional staff, etc.)? Please provide a breakdown of the expenditures from vacancy savings, including the amount and purpose, for the past five fiscal years.

**COMMENT:** The Department submitted its response as requested by November 1, 2022. The Department's overall FY 2022-23 vacancy rate, through October 31, 2022, is 15.1 percent. The Department's FY 2021-22 turnover rate was 15.9 percent.

DPA VACANCY RATE AS OF OCTOBER 31,2022			
DIVISION	FY 2022-23 APPROPRIATED FTE	COUNT OF VACANT POSITION	DIVISION VACANCY RATE
Executive Director's Office	62.2	20.0	32.2%
Division of Human Resources	60.7	8.9	14.7%
State Personnel Board	4.8	0.5	10.4%
Division of Central Services	127.9	21.0	16.4%
Division of Accounts and Control	67.6	4.0	5.9%
Administrative Courts	44.7	5.0	11.2%
Division of Capital Assets	76.6	7.5	9.8%
Total	444.5	66.9	15.1%

DPA TURNOVER RATE BY DIVISION FOR FY 2021-22			
DIVISION	AVERAGE NUMBER OF FILLED POSITIONS	NUMBER OF TURNOVERS	TURNOVER RATE
Executive Director's Office	35.3	8.0	22.7%
Division of Human Resources	46.3	3.0	6.5%
State Personnel Board	4.8	0.0	0.0%

**DPA TURNOVER RATE BY DIVISION FOR FY 2021-22**

DIVISION	AVERAGE NUMBER OF FILLED POSITIONS	NUMBER OF TURNOVERS	TURNOVER RATE
Division of Central Services	107.1	21.0	19.6%
Division of Accounts and Control	62.1	8.0	12.9%
Administrative Courts	37.7	5.0	13.3%
Division of Capital Assets	71.3	13.0	18.2%
Total	364.6	58.0	15.9%

- 2 All Departments -- The Departments are requested to provide by November 1 of each fiscal year data concerning utilization of the paid family and medical leave benefit established by the State Personnel Director, including:
- The number of employees utilizing the benefit each fiscal year and the total number of hours utilized by employees of the Department;
  - The job classes of employees utilizing the benefit in each fiscal year;
  - The number of temporary employees hired to fill essential positions vacated by employees on paid family and medical leave; and
  - The total fiscal impact of the utilization of the paid family and medical leave benefit by the Department’s employees, including but not limited to the cost salaries for and training of temporary employees.

**COMMENT:** The Department submitted its response as requested by November 1, 2022. During FY 2021-22, 35 DPA employees utilized Paid Family Medical Leave, with a total number of 2,176 hours used. The following job classes utilized the benefit in FY 2021-22: Accountant, Administrative Assistant, Administrative Law Judge, Administrator, Analyst, Auditor, Custodian, Data Entry Operator, Data Management, Data Specialist, LTC Operations, Production, Program Assistant, Project Manager, Purchase Agent, Social Work/Counselor, Structural Trades, and Technician. DPA has not hired temporary employees to fill essential positions vacated by employees on paid family medical leave. During FY 2021-22, the cost of the Paid Family Medical Leave was \$65,874.34. As DPA did not hire any temporary employees, there was no additional cost for salary or training of temporary staff.

- 5 Department of Health Care Policy and Financing, Medical Services Premiums; Indigent Care Program, Children's Basic Health Plan Medical and Dental Costs; Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, University of Colorado, Lease Purchase of Academic Facilities at Fitzsimons; Governing Boards, Regents of the University of Colorado; Department of Human Services, Division of Child Welfare, Tony Grampas Youth Services Program; Office of Early Childhood, Division of Community and Family Support, Nurse Home Visitor Program; Department of Military and Veterans Affairs, Division of Veterans Affairs, Colorado State Veterans Trust Fund Expenditures; **Department of Personnel, Division of Human Resources, Employee Benefits Services, H.B. 07-1335 Supplemental State Contribution Fund;** Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division, Administration, General Disease Control, and Surveillance, Immunization Operating Expenses; Special Purpose Disease Control Programs, Sexually Transmitted Infections, HIV and AIDS Operating Expenses, and Ryan White Act Operating Expenses; Prevention Services Division, Chronic Disease Prevention Programs, Oral Health Programs; Primary Care Office -- Each Department is requested to provide the following information to the Joint Budget Committee by October 1, 2022 for each program funded with Tobacco Master Settlement Agreement money: the name of the program; the amount of Tobacco Master Settlement Agreement

money received and expended by the program for the preceding fiscal year; a description of the program including the actual number of persons served and the services provided through the program; information evaluating the operation of the program, including the effectiveness of the program in achieving its stated goals.

**COMMENT:** The Department submitted its response as requested by October 1, 2022. Pursuant to Section 24-50-609, C.R.S., the General Assembly established the Supplemental State Contribution Program for eligible state employees with the intent to provide access to affordable and adequate health insurance offered by the state to as many children of lower-income state employees as possible, and to encourage lower-income employees with dependent children to enroll in health insurance plans by supplementing the plan premiums.

The program is managed and administered by the Department of Personnel. A state employee must apply and meet eligibility requirements for the supplement based on criteria established by statute. Eligibility criteria includes a state employee as defined in Section 24-50-603 (5), C.R.S., who is eligible to enroll in a group benefit plan offered by the state, has an annual household income of less than 300 percent of the Federal Poverty Level (FPL), and has at least one dependent other than a legal spouse.

The Department must first use funds to provide each eligible state employee who has an annual household income of less than 200 percent FPL (Level 1) with a supplement in the amount needed to reduce the employee contribution to all qualifying group benefit plans to zero. Next, remaining funds must be used to provide an eligible state employee who has an annual income of 200-249 percent FPL (Level 2) a supplement. Finally, remaining funds must be used for an eligible state employee who has an annual income of 250-299 percent FPL (Level 3). Supplements are provided to eligible employees at each Level in priority order if funds are available. All supplement contributions are paid from the Supplemental State Contribution Fund created in Section 24-50-609 (5), C.R.S.

For FY 2021-22, the amount available in the Supplemental State Contribution Fund to supplement the medical premiums of eligible state employees was \$4,028,513. The Department received 427 applications for the supplement program. Of these applications, 26 were denied because the applicant did not meet the requirements of the program or the applications remained incomplete when the application period closed. One applicant in Level 3 was initially approved and subsequently terminated from the program as a result of not adding dependent children during the special enrollment, therefore making them ineligible for the supplement.

The program was able to provide a maximum supplement of \$481.04 for all Levels (1, 2, 3) per month (100% or the total amount of their medical premium) for the remaining 400 applications processed by the Department. A total of 153 applicants were approved for Level 1, 131 were approved for Level 2, and 116 were approved for Level 3. Pursuant to Section 24-60-609.5, C.R.S., supplemental contributions are contingent upon sufficient funds. Finally, three employees approved for the supplement terminated employment prior to the start of the fiscal year. This decreased the total number of employees who received the supplemental contribution to 397 in the table below, relative to the 400 applicants approved. The following table reflects the participation level in the supplemental state health and dental contribution program for FY 2021-22:

STATE EMPLOYEES RECEIVING SUPPLEMENTAL CONTRIBUTION	TOTAL SUPPLEMENTS PAID	AVERAGE MONTHLY AMOUNT	AVERAGE YEARLY AMOUNT	NUMBER OF DEPENDENT CHILDREN
397	\$1,234,542	\$259.14	\$3,110	943

DEPARTMENT-SPECIFIC RFIs

- 2 Department of Personnel, Executive Director’s Office, Payments to OIT -- The Department is requested to provide by November 1, 2021, the amount of funds eliminated from the Payments to OIT line item as a result of reducing the number of service units obtained from the Governor’s Office of Information Technology for operating the Colorado Automotive Reporting System (CARS) after full replacement is achieved.

**COMMENT:** The Department submitted its response as requested by November 1, 2022. In FY 2019-20, the Department of Personnel & Administration (DPA) received \$1,625,610 in IT Capital spending authority. This project utilizes existing State Fleet cash funds to replace the 21 year old Colorado Automotive Reporting System (CARS), which is no longer supported by the Governor’s Office of Information Technology (OIT). The new Colorado Asset Management Portal (CAMP) system will be vendor-supported, and therefore will require substantially less support from OIT ultimately resulting in lower OIT billings for Servers, Agency Applications and Engagement Services/Line of Business Support.

In the request for funding, the estimated timeline showed a go-live date of May 2020. Due to solicitation and contract delays as well as staffing and implementation challenges, the go live date has been postponed to August 2023. This led to a budget reversion of \$207,543 in FY 2021-22. This funding would have been used to make further improvements or enhancements to the system after go-live. The Department may seek additional funding in a future request if such changes are needed.

As a result of the delay in implementation and go live, DPA still utilizes CARS for the management of state fleet vehicles. Please note that the Department anticipates running both systems concurrently for a period of time after go-live. Since the CARS application has not yet transitioned offline, no savings has been realized in the Payments to OIT. However, once CARS has been fully decommissioned, DPA in consultation with OIT identified an anticipated savings totaling approximately \$370,000 in future years.

- 3 Department of Personnel, Executive Director’s Office, Statewide Special Purpose, Colorado State Employees Assistance Program -- The Department is requested to provide by November 1, 2022, a report to the Joint Budget Committee concerning the Colorado State Employee Assistance Program (CSEAP). The requested report should include, at a minimum, the following information: (a) Program services provided, by service type, for FY 2021-22 and FY 2022-23; (b) utilization of counseling services by agency for FY 2021-22 and FY 2022-23; (c) wait times for counseling services for calendar years 2022; and (d) aggregated participant satisfaction survey results. All data provided should be anonymized and HIPPA compliant.

**COMMENT:** The Department submitted its response as requested by November 1, 2022. The following tables provide the requested information.

TABLE 1 - CASES/EMPLOYEES PER FISCAL YEAR		
SERVICE TYPE	FY 2021-22	FY 2022-23 (Q1)
Mental Health Counseling Requests/Intakes	n/a	556
Mental Health Counseling New Cases Served	1,554	310
Critical Incident Response	239	35
Mediation	28	4
Professional Coaching	77	20

TABLE 1 - CASES/EMPLOYEES PER FISCAL YEAR		
SERVICE TYPE	FY 2021-22	FY 2022-23 (Q1)
Leader Consultation	110	23
Workgroup Facilitation	139	6
Presentations: Webinar	5,193	328
Presentations: On-Site	114	162
<b>Total Count</b>	<b>7,454</b>	<b>1,444</b>

TABLE 2 - INSTANCES PER FISCAL YEAR		
SERVICE TYPE	FY 2021-22	FY 2022-23 (Q1)
Critical Incident Response	19	6
Presentations: Webinar	147	15
Presentations: On-Site	2	8
Workplace Mediation	14	2
Work Group Facilitation	8	1
Psych Fitness for Duty	7	1
<b>Total Instances</b>	<b>197</b>	<b>33</b>

TABLE 3 - UTILIZATION OF COUNSELING SERVICES BY AGENCY		
DEPARTMENT	# OF CASES FY 2021- 22	# OF CASES - FY 2022- 23 (Q1)
Agriculture	11	0
Corrections	136	26
Education	30	5
Governor's Office (excluding OIT)	18	0
Governor's Office of Information Technology	23	6
Health Care Policy & Finance	29	9
Human Services	182	35
Judicial Branch (excluding Office of the Public Defender)	7	25
Labor & Employment	65	15
Law (AG)	18	8
Local Affairs	9	6
Natural Resources	57	13
Office of Public Defender	33	0
Personnel & Administration	12	0
Public Health & Environment	100	27
Public Safety	55	9
Regulatory Agencies	30	5
Revenue	48	11
State	6	0
Transportation	75	11
Unassigned Agency	180	0
Unavailable (Utilization from Agencies with less than 5 employees for HIPAA compliance)	19	62
<b>Subtotal - Departments</b>	<b>1,143</b>	<b>273</b>
Institutions of Higher Education		
Adams State	9	0
Arapahoe CC	17	0
Auraria	5	0
Aurora CC	12	0
CC of Denver	16	0
CCC System	20	0
Colorado Mesa	14	0
CSU Main	10	0
CSU Pueblo	16	0
CU Anschutz	81	15
CU Boulder	12	0
CU Denver	43	0
Front Range CC	17	7

TABLE 3 - UTILIZATION OF COUNSELING SERVICES BY AGENCY		
DEPARTMENT	# OF CASES FY 2021- 22	# OF CASES - FY 2022- 23 (Q1)
Ft. Lewis College	12	0
History Colorado	10	0
Metro State	38	15
Northeastern CC	5	0
Pikes Peak CC	16	0
Pueblo CC	7	0
Red Rocks CC	8	0
School of Mines	25	0
UC Colorado Springs	14	0
Western Colorado	4	0
<b>Subtotal - IHEs</b>	<b>411</b>	<b>37</b>
<b>Total</b>	<b>1,554</b>	<b>310</b>

TABLE 4 - CSEAP WAIT TIMES CY 2022	
January	17 days
February	14 days
March	20 days
April	21 days
May	12 days
June	35 days
July	27 days
August	11 days
September	16 days
CY 2022 YTD average	19 days

TABLE 5 - AGGREGATED PARTICIPANT SATISFACTION SURVEY RESULTS	
	% OF RESPONDENTS
Please tell us about your counseling experience:	
Felt that my counselor understood my concerns.	92.5%
Felt comfortable discussing my concerns with my counselor.	92.0%
Felt my counselor was helpful in addressing my concerns.	80.0%
I would recommend my counselor to a fellow State employee.	82.0%
I attended CSEAP sessions to address:	
Physical concerns	0.1%
Personal relationships	6.4%
Mood/mental health concerns	23.4%
Intimate relationship concerns	10.4%
Loss of a family member, coworker, pet, someone close to me	8.5%
Managing a difficult situation in my life	29.4%
Parenting	3.5%
Performance concerns	6.0%
Workplace relationships	11.4%

## APPENDIX C

# DEPARTMENT ANNUAL PERFORMANCE REPORT

Pursuant to Section 2-7-205 (1)(b), C.R.S., the Department of Personnel is required to publish an **Annual Performance Report** for the *previous state fiscal year* by November 1 of each year. This report is to include a summary of the Department's performance plan and most recent performance evaluation for the designated fiscal year. In addition, pursuant to Section 2-7-204 (3)(a)(I), C.R.S., the Department is required to develop a **Performance Plan** and submit the plan for the *current fiscal year* to the Joint Budget Committee and appropriate Joint Committee of Reference by July 1 of each year.

For consideration by the Joint Budget Committee in prioritizing the Department's FY 2023-24 budget request, the FY 2021-22 Annual Performance Report and the FY 2022-23 Performance Plan can be found at the following link:

<https://www.colorado.gov/pacific/performancemanagement/department-performance-plans>