

# Colorado Department of Labor and Employment SMART Act Hearing

Senate Committee on Business,  
Labor and Technology House Committee  
on Business Affairs & Labor



**COLORADO**  
Department of  
Labor and Employment



# CDLE Mission & Vision

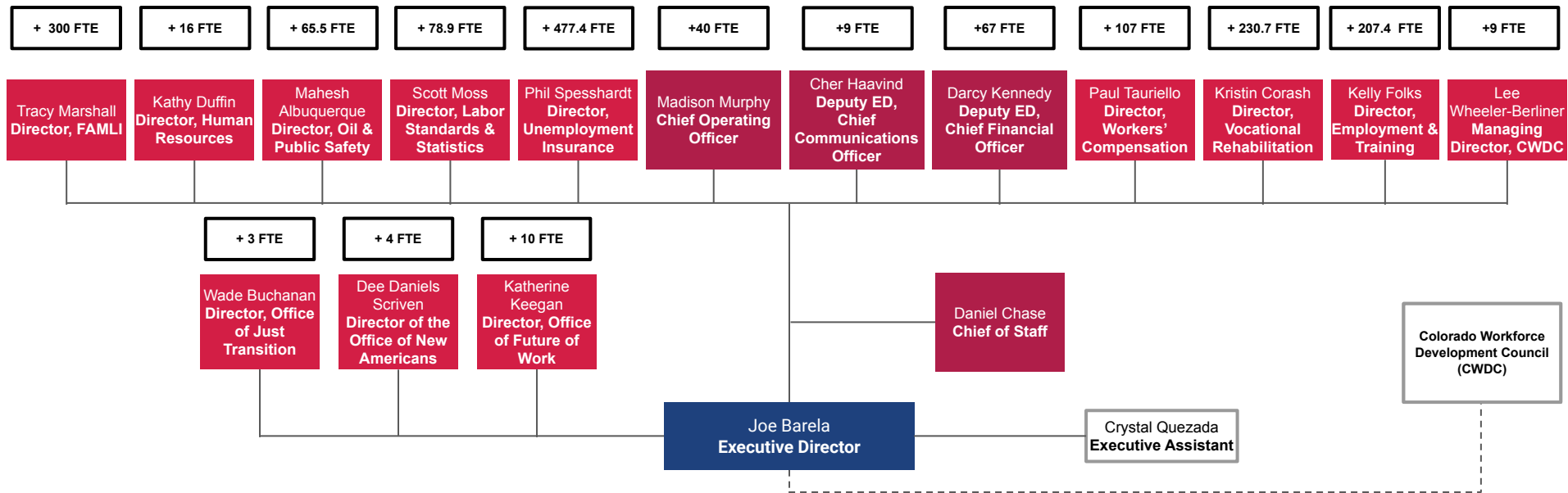
## Our Mission:

*Working together to promote a thriving employment environment with opportunity for every Coloradan to prosper.*

## Our Vision:

*A working economy that elevates all of Colorado.*

# CDLE Organizational Chart



# About CDLE

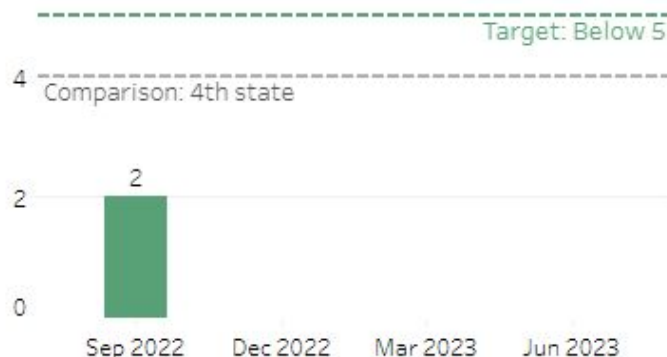
## *We Keep Colorado Working by:*

- building Colorado's talent pipeline
- ensuring fair labor practices
- helping businesses recruit employees
- presenting an up-to-date and accurate picture of the economy
- protecting our communities with a variety of consumer protection and safety programs
- ensuring benefits to injured workers
- contributing to a stable economy by providing temporary wage replacement
- helping people with disabilities to obtain, maintain or regain employment

# CDLE's FY 2022-23 Wildly Important Goals (WIGs)

## Wildly Important Goal:

Maintain Colorado's rank among the top 5 states in labor force participation through June 30, 2023.



Successful completion of this goal will benefit employers and job seekers by ensuring an adequate supply of individuals to engage in the labor force, including populations who have experienced greater impacts to participation since the pandemic.

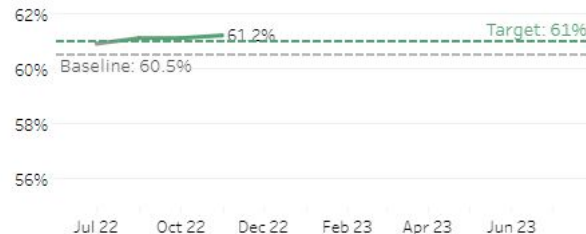
# How CDLE will accomplish the WIG:

The Department of Labor and Employment will achieve this goal through the following leading indicators:

Increase the employment to population ratio for youth ages 16 - 24 from 57.7% to 59% by June 30, 2023.



Increase the female employment to population ratio from 60.5% to 61% by June 30, 2023.



Increase the number of people participating with the Division of Vocational Rehabilitation from 15,204 in FY 2022 to 15,900 by June 30, 2023.



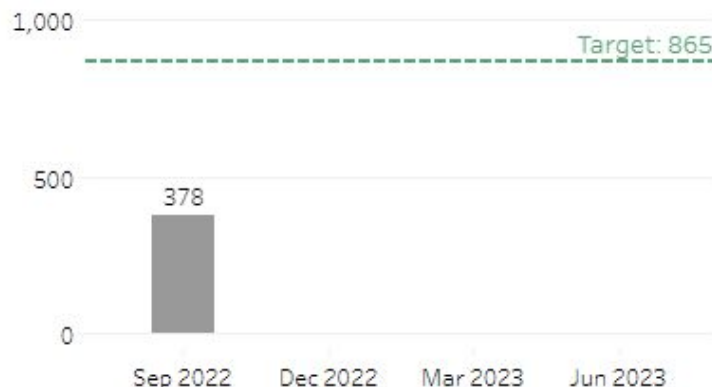
Conduct landscape analysis and create coal transition worker assistance program plan by June 30, 2023.



# CDLE's FY 2022-23 Wildly Important Goals (WIGs)

## Wildly Important Goal:

Enroll 865 candidates in healthcare-related training through the Colorado public workforce system by June 30, 2023.



Current and research-based projections to 2026 reflect healthcare worker shortages in key areas that include needs for 10k+ Registered Nurses and 50k+ Direct Care Workers. Therefore, within the context of demographic and economic data, CDLE sees the need to ensure agility, reach and sustainability into the years ahead.

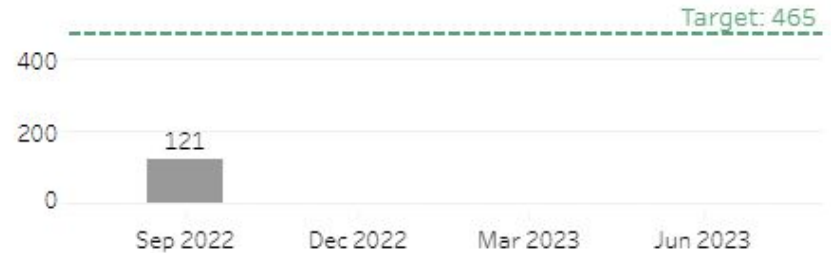
# How CDLE will accomplish the WIG:

The Department of Labor and Employment will achieve this goal through the following leading indicators:

CDLE will enroll 400 candidates in healthcare related occupational education, training and/or credentialing through Workforce Innovation and Opportunity Act (WIOA) funded programs by June 30, 2023.



Local workforce areas and community based organizations will enroll 465 candidates in healthcare related occupational education, training and/or credentialing through stimulus funded programs by June 30, 2023.

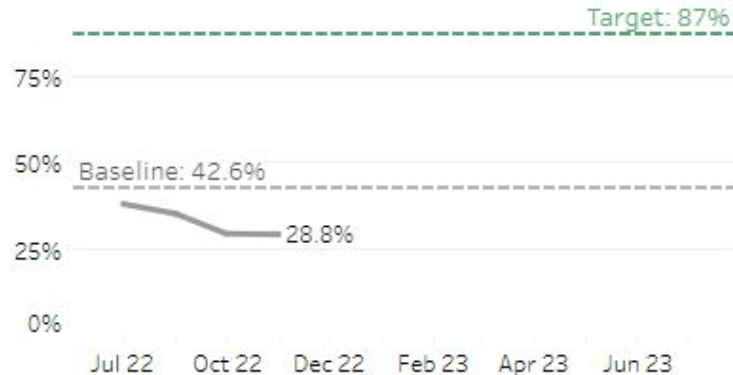




# CDLE's FY 2022-23 Wildly Important Goals (WIGs)

## Wildly Important Goal:

Increase the percentage of Coloradans who receive their first state unemployment benefit payment within three weeks, from 42.6% in June 2022 to 87%, in alignment with federal benchmarks, by June 30, 2023.



Unemployment Insurance is a crucial benefit for those that lose their employment through no fault of their own, and during recessions is essential to prop up consumer spending.

# How CDLE will accomplish the WIG:

The Department of Labor and Employment will achieve this goal through the following leading indicators:

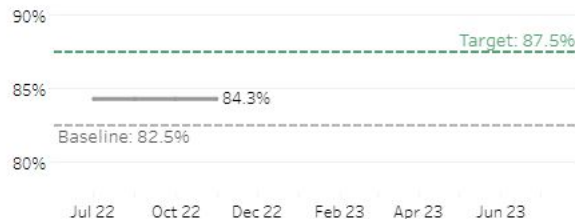
Decrease the claims on the backlog from 20,000 to zero by June 30, 2023.



Increase the number of issues resolved per week by each claims processing agent from 35 to 70 by June 30, 2023.



Increase the percentage of employers submitting separation responses online by 5% from 82.5% to 87.5% by June 2023.



# Department Updates: Unemployment Insurance

- Processing time for claims continues to be unacceptably high.
- We are working to be within normal time frames of 4 weeks or less and are estimating to be on track to achieve this by end of March 2023.
- Causes of current delays are associated with pandemic related issues, increased pre-pandemic claims load, ongoing staff attrition, USDOL Merit-Staffing requirements and onboarding/training requirements.
- We are continuing to enhance our fraud detection and prevention abilities utilizing federal grant funding to invest in streamlined identity proofing and fraud analytics.
- We are actively working on projects to improve equitable access to the UI systems.
- Work is underway to modernize the UI Premiums system which will result in full integration with the Benefits system.

# CDLE's FY 2022-23 Wildly Important Goals (WIGs)

## Wildly Important Goal:

Add or expand 100 registered apprenticeship programs in Colorado by June 30, 2023. Priority industries for this WIG include (1) Healthcare/Behavioral Health, (2) IT/Cybersecurity, (3) Education/ Public Sector, (4) Advanced Manufacturing, (5) Transportation/Logistics, and (6) Energy/Infrastructure



Registered Apprenticeship Programs are a proven model that allows businesses to shape their talent pipeline, engage their incumbent workforce, and provides apprentices with a guaranteed paycheck that increases throughout the experience, a nationally recognized, portable industry certification upon completion, an education and the potential to earn college credit, and hands-on experience with qualified mentors. Tracking the growth in registered apprenticeship programs allows us to track the expansion of economic opportunity in Colorado.

# How CDLE will accomplish the WIG:

The Department of Labor and Employment will achieve this goal through the following leading indicators:

Conduct 1,000 outreach activities to employers/potential sponsors of apprenticeship in the following priority industries (1) Healthcare/Behavioral Health, (2) IT/Cybersecurity, (3) Education/Public Sector, (4) Advanced Manufacturing, (5) Transportation/Logistics, and (6) Energy/Infrastructure as measured by the CDLE Apprenticeship Team and its Hub. This reflects in-person and virtual business outreach activities to promote apprenticeship statewide.



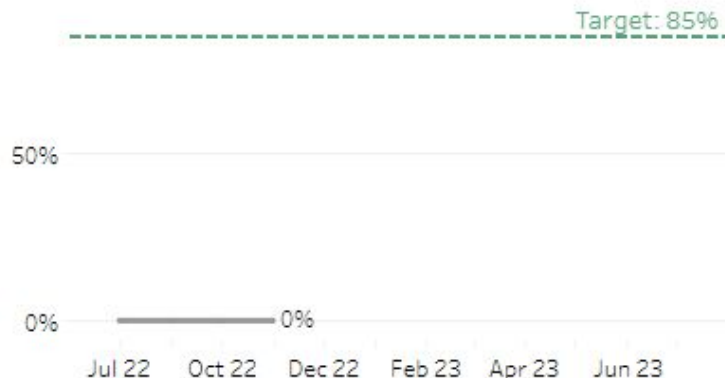
Increase the number of new apprenticeships filled by racial or ethnic minorities by 5%, from 1,256 to 1,319 by June 30, 2023.



# CDLE's FY 2022-23 Wildly Important Goals (WIGs)

## Wildly Important Goal:

Enroll 85% of eligible Colorado workers in either the state paid family leave plan or an employer self-certified leave program by June 30, 2023.



Colorado has the opportunity to ensure the paid family leave program provides timely benefits that are easily accessible to eligible workers.

# How CDLE will accomplish the WIG:

The Department of Labor and Employment will achieve this goal through the following leading indicators:

FAMLI will host 30 in-person and virtual employer education events across the state, including town halls, webinars and presentations, by June 30, 2023.



Support 80% of eligible employers with FAMLI registration or an exemption application, with a goal of 186,000 registrations by June 30, 2023.



# Department Updates: FAMLI

- Implementation is on track based on proposition 118 dates.
- 56 staff hired since July 2021, with an anticipated need of 320 by launch of benefits.
  - Contact center launched for employers in November.
- First major technology system was launched on 12/1.
  - 42,000+ employers registered as of 1/4/23
  - Local gov opt outs: 1,320 as of 1/6/23
- First wage reports and premiums are due on April 30, 2023.
- Some employers have started payroll deductions as of January 1, 2023.
- Benefits system and healthcare provider portal development are in flight and on track.



# More information

To view monthly updates on Wildly Important Goals and corresponding lead measures, please visit the [Governor's Dashboard](#).

For more information on additional CDLE goals, view our FY 2022-23 Performance Plan at: [operations.colorado.gov/performance-management/departments-performance-plans](https://operations.colorado.gov/performance-management/departments-performance-plans)

# CDLE Performance Management

## CDLE Priorities



### Model Employer

Lead the state in becoming a model employer



### Workers Prosper

Through meaningful employment, every Coloradan prospers



### Exceptional Services

Exceptional execution of core services in collaboration with partners and stakeholders



### Future of Work

Ensure Colorado is prepared for the Future of Work



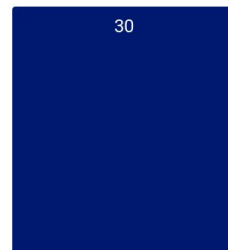
### Employers Thrive

Cultivate policies and processes that help Colorado employers thrive

# CDLE Performance Management

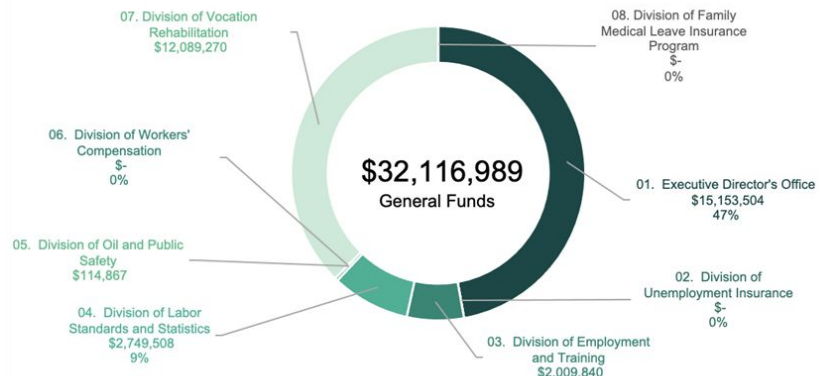
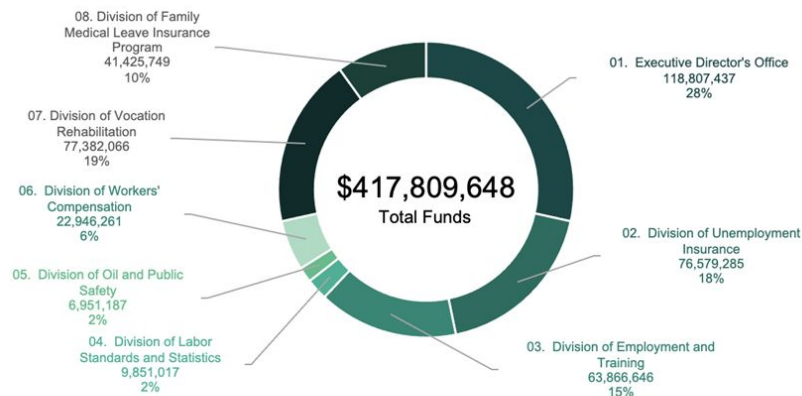
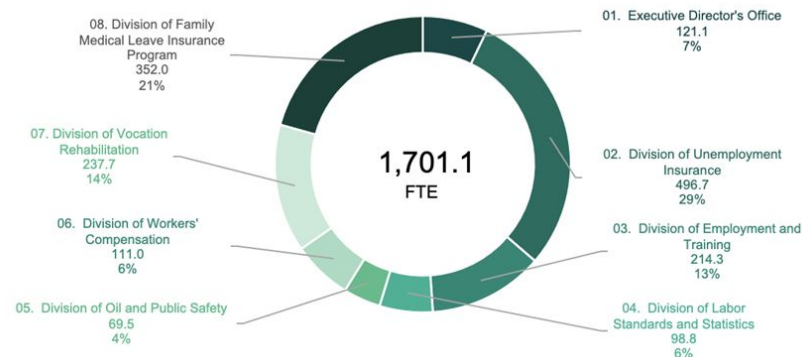
D	E	F	H	I
Division	Division WIG/ Priority Area	Division lead measure	Metric Owner	Unit of measure
DVR	Matched to CDLE WIG 1	Increase the percent of applicants reaching plan from 0 to 54.8% by June 30, 2023	Kristin Corash	Percent of applicants reaching plan
DVR	Matched to CDLE WIG 1	Increase the number of DVR/Workforce Development co-enrollments from 0 to 84 by June 30, 2023	Kristin Corash	Number of co-enrollments
DVR	Matched to CDLE WIG 1	Increase the number of CIL referrals going into application to DVR from 0 to 70 by June 30, 2023	Kristin Corash	Number of CIL referrals
GPPR	Increase the number of people participating with the Division of Vocational Rehabilitation from (15,204 in FY 2022) 0 to 15,900 by June 30, 2023 through a targeted employer outreach campaign	Create a targeted outreach campaign to CO employers to encourage hiring of people with disabilities	Cher Haavind	Project completion
Workers' Comp	Increase the number of workers' compensation accredited healthcare providers.	Increase educational outreach efforts to providers by 10 percent.	Paul Tauriello/ Jackie Jackson	Number of providers
GPPR	Create a marketing campaign to support enrolling 465 candidates in healthcare related occupational education, training and/or credentialing through stimulus funded programs by June 30, 2023.	Using LMI data/NAICS codes and UI CATS data, create a regional, targeted campaign to CBOs with workforce landscape data to share with clients promoting healthcare careers.	Cher Haavind	Project completion
Workers' Comp	Increase accuracy and timeliness of workers' compensation payments from insurers to injured workers.	Increase insurer training events by five percent compared to 42 events in FY22	Paul Tauriello/ Jackie Jackson	Number of events
OPS	Timely payment of PSTC Reimbursement applications	Reimbursement payments made in less than 90 days	Tiffany Becker	Days to reimbursement
OPS	Timely review of storage tank permit applications	Permit applications processed within 30 days	Tiffany Becker / Zach Hope	Days to process and review
GPPR	Timely UI benefit payments	Create a video series for claimants and employers on "getting paid timely" and "ensuring proper payments"	Cher Haavind	Project completion

## Results Dashboard



Increase the number of DVR/Workforce co-enrollments from 0 to 84 by June 30, 2023

# CDLE FY 2023-24 Budget Request



# CDLE Select FY 2023-24 Budget Requests

CDLE's FY 2023-24 Budget Request includes the following:

- **5 Prioritized Operating Requests Total Funds:**
  - R-01 Employment Support Fund
  - R-02 Unemployment Insurance Fraud Prevention \$2.4 M (CF) and 12.0 FTE
  - R-03 Wage Theft Enforcement Workers Payment \$0.2 M (CF) and 1.2 FTE
  - R-04 Business Enterprise Program for People Who are Blind
  - R-05 CDLE Independent Living Services Provider Rate Increases \$0.2 M (GF)
  - BA-01 R-06 Amusement Rides and Devices Program \$0.2 M (GF) and 2.0 FTE
  - BA-02 R-07 Disability Employment First \$0.3M (GF) and 1.8 FTE
- **2 Capital IT Request**
  - CC-IT-01 Vocational Rehabilitation Case Management Modernization \$4.7 M (\$ 1.0M RF & \$ 3.7 M FF)
  - CC-IT-03 Conveyance Database \$0.7 M (CF)

# Legislative Agenda

The Department respectfully requests the General Assembly consider legislation on the following:

- **Eliminating Discrimination in Eligibility for Public Benefits**
  - Allow legal immigrants to sponsor an individual (i.e., a family member or close friend) to come to the US during the time that they are receiving public assistance
- **Employer Tax Credit Notification**
  - Require employers to give notice to all employees about availability of earned income and child tax credits
- **Wage Theft Worker Payments for Employees**
  - Allow fines collected by Division of Labor Standards and Statistics to be paid to victims of wage theft unable to recover unpaid wages from their employers

# Legislative Agenda

The Department respectfully requests the General Assembly consider legislation on the following:

- **Updates to the Colorado Apprenticeship Directory**
  - Update the directory to inform a better apprenticeship landscape in Colorado
- **Employment Support Fund Conformity**
  - Update the manner in which we charge employers premiums to conform with USDOL
- **Ensuring a Future-Ready Workforce**
  - Codify the Office of Future of Work & make conformity changes to the State Apprenticeship Agency and its councils

# Regulatory Agenda

- **Division of Family and Medical Leave Insurance**
  - Establish process for enforcing violations (02/2023)
- **Office of the Future of Work**
  - Standards for the registration of Apprenticeship Programs in Colorado (04/2023)
- **Division of Workers' Compensation**
  - Mandatory annual review of surcharge rates (04/2023)
  - Mandatory review of fee schedule (09/2023)
  - Update DIME procedures (TBD)
  - Update procedures for self-insured employers (TBD)
- **Division of Vocational Rehabilitation**
  - Ensure compliance and address inconsistencies (TBD)
- **Division of Oil and Public Safety**
  - Simplify aboveground storage tank rules; adopt new codes for soil and groundwater (TBD)



# Regulatory Agenda

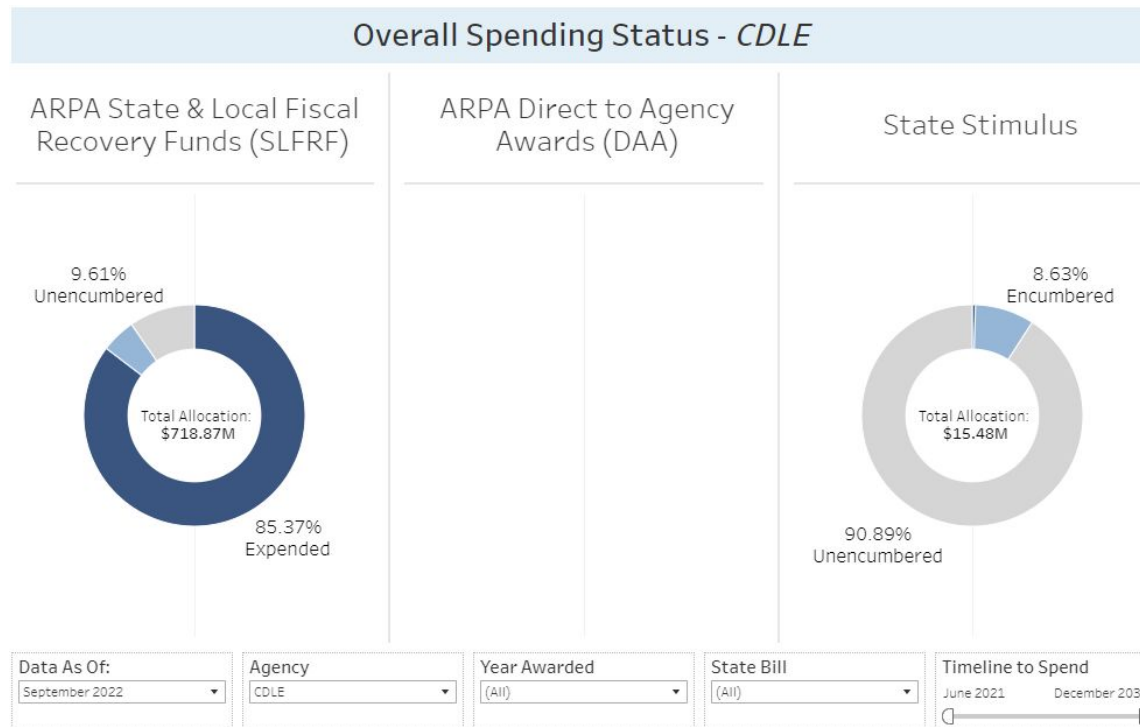
- **Division of Unemployment Insurance**
  - Employer Service modernization (TBD)
  - Changes to workshare (TBD)
  - Changes to overpayments (TBD)
- **Division of Labor Standards and Statistics**
  - County collective bargaining (Spring 2023)
  - Colorado Labor Peace Act and Industrial Relations Act (Spring 2023)
  - Annual increase of minimum wage as mandated by the Colorado Constitution (Fall 2023)
  - Direct Investigation Program rules (Spring 2023)
  - Overtime and minimum pay standards (Fall 2023)
  - Wage protection rules (Fall 2023)

# Equity, Diversity, and Inclusion

In accordance with the Governor's Executive Order 2020 175, the Department has implemented the following efforts in accordance with its equity, diversity, and inclusion plan:

- OneCDLE Groups that focus on serving team members from historically marginalized and under-represented groups by providing a space for support and solidarity.
- Supervisor and Manager training that develop skill sets to inclusively lead teams and effectively engage in difficult conversations.
- Hiring from within by providing the skills and knowledge for employees from marginalized identity groups.

# Stimulus Funding Implementation



# Stimulus Funding Implementation

## HB21-1264 Update:

- **Career Coaching Collaborative:** Two day, in-person training on coaching skills and collaboration for all 25 new coaches in the network. Virtual Coaching Region led by the CRWC went live Dec. 20, 2022 and includes Spanish language support.
- **Business and Industry Support:** Six active Trade Association Training Programs have enrolled 2,406 students as of Dec. 20, 2022.
- **Capacity Building for Partnership and Innovation:** Three-session training series with 35 attendees for regional sector partnership teams, new conveners, those interested in a reset provided a refreshed understanding on the **Next Gen model** and what is required to build and sustain effective regional, business-led public/private partnerships.
- **Nonprofit Partnership Development:** Grant Corps in place and operating to support nonprofits as they prepare for new funding opportunities and manage grants awarded.

For ongoing updates to stimulus programs, please visit [coforward.colorado.gov](https://coforward.colorado.gov)

# Reskilling, Upskilling, and Next-skilling



## HB21-1264

**4,340** individuals enrolled in training programs through Reskilling, Upskilling, and Next-skilling grants with Colorado's local workforce centers and CBOs

### Highest Attendance Programs

- Heavy and Tractor-Trailer Truck Drivers
- Registered Nurses
- Nursing Assistants
- Medical Assistants
- Information Security Analyst
- Helpers--Electricians



# Rise into the Career You Want

**ReadytoRise.me**

Looking for a good job or new career?

Earn a short-term credential at no cost to you to prepare for an in-demand, well-paying job or career.

Ready to Rise - Reskilling, Upskilling,

Has the pandemic derailed your work or education plans? Rise into the job or career you have always wanted.





“

*“I was looking for resources that could help me grow in a different field, a field that would help me escape my situation and help me support my family...The Broomfield Workforce Center gave me more hope that I would be able to do more and find a remote job that would allow me to care for my two babies.”*

-Sally\*, a domestic abuse survivor and beneficiary of RUN funding

\*Sally is a pseudonym to protect her identity

# Required SMART Act Reporting

- SPARC Annual Report (HB21-1149 (24-46.3-504(2))\*)
- Work-Based Learning Incentive Program Report Update (SB22-140 (8-83-602(2)(h)))
- Colorado Call Center Job Losses (HB19-1306 (24-48.5-125(2)))
- Employment Support & Job Retention Program Update (HB22-1230 (8-83-405(2)))
- Statewide Digital Navigator Program & ESL Vendor Report Outcomes & Data (SB22-140)
- Financing Components of the Office of Just Transition Plan & Expected Results (HB19-1314 (8-83-503(3)(c))\*)
- Employment First Policies Update (8-84-303(7)(a))
- UI Trust Fund (8-72-101 (3)(b))\*

\*All CDLE Reports submitted to the General Assembly and Office of the Governor can be found on the CDLE Stakeholder Website ([linked here](#)).



# HB21-1149: SPARC

The bill has two provisions: [a] It mandated the creation by CWDC of renewable energy career pathways, and [b] It established the **Strengthening Photovoltaic And Renewable Careers (SPARC) Workforce Development Program**, housed at CDLE, and provided funds for training program development by CCCS.

- **(CWDC) Created energy-related career pathways maps describing 36 separate renewable and energy-related occupations. The CWDC spent the SPARC-allocated \$21,535 to fund .3 FTE designated for this purpose.**
- **(CDLE) received a total allotment of \$68,513 for Workforce Navigator positions For the review period \$5,105.66 was charged to the SPARC Navigator funding stream.**
- **(CCCS) SPARC-designated colleges: Northeastern Junior College, Pueblo Community College, Aurora Community College; hiring appropriate staff, initiating program design, soliciting industry input, procuring equipment, and securing industry donations. CCCS spent \$96,016.90 of the \$1,724,590 allocated for these programs.**

# SB22-140: Work-Based Learning Incentive Program

- **Work-Based Learning Incentive (WBLI) Program** issues monetary Incentives to Colorado businesses for developing high quality work-based learning programs
- Begins operations in January 2023
- A Request for Applications for at least two (2) Intermediaries to operate the program was issued in November 2022, with contracts to be awarded by January 2023.
  - The maximum Incentive amount available for an Intermediary: \$100,000
  - Total amount available for Intermediaries: \$500,000
- Intermediaries and CDLE will engage businesses directly to award Employer Incentives for creating high quality work-based learning activities as described in the Work-Based Learning Quality Expectation Standards
  - Maximum amount paid to an employer: \$10,000
  - Additional \$100 bonus incentive available to small and/or rural businesses (up to \$10,200 maximum).
  - Total amount available for Employers: \$2,143,954

# SB22-140: Digital Navigator Program & ESL Vendor Report

- Digital Navigator Program
  - Interagency agreement with ServeColorado in process to launch request for proposals from organizations to host Digital Navigator AmeriCorps members (\$1,700,000)
  - Digital Navigator Program Administrator position closes January 13 to coordinate program with ServeColorado and launch a statewide Community of Practice for digital navigators
- Virtual, Career-Aligned ESL (VCESL) Program Report
  - October 5th - published the VCESL RFP
  - November - received applications, paneled applications and met with applicants
  - December - VCESL Program Manager Hired & issued notices of award to Burlington English and EnGen
  - January - finalizing SOWs and launching program
  -

# HB19-1306: Colorado Call Center Job Losses

## Call Centers Impacted from Jan 1 - Dec 31, 2022

### WARN - TOTAL: 0

- No call centers reported layoffs under WARN for NAICS: 561422 Telemarketing Bureaus and Other Contact Centers

### Non-WARNs - TOTAL: 0\*

- No call centers with Unemployment Initial Claims of 20+ layoffs per month

### All companies were offered Rapid Response Services

*\*Note: Totals for Dec 2022 are not included because the data is not yet available*

# HB22-1230: Employment Support & Retention Services Program

- **278** individuals served (since July 1, 2022)
- Average Amount per Request: **\$310.45** (\$400 cap)
- 21 of 29 previous service providers re-established MOUs
- Top (3) Services Provided: Transportation/Vehicle Maintenance (26%), Emergency Housing (23%), Work Tools (19%)
- Outreach conducted to 22 service providers; 1 new service provider signed MOU.
- Initial Program (**HB19-1107**) served 535 individuals (through June 30, 2022)
- Average Amount per Request: \$298.29 (\$400 cap)

# HB19-1314: Financing Components of the Office of Just Transition Plan

- By 2031, all 6 remaining coal-fired power plants are scheduled to close or convert. At least 4 coal mines are also likely to close:
  - Major tax losses to over 95 districts in Delta, Gunnison, La Plata, Moffat, Montrose, Morgan, Pueblo, Rio Blanco, and Routt counties
  - It will require creation of at least \$3.2 billion in new commercial property value to replace this lost tax base (2019 rates)
  - Total contribution from coal in Northwest CO alone is 2,862 jobs, \$228 M in labor income, and \$621 M in GDP ([Perry](#))
  - The vast majority of job and tax losses will occur after 2026.
- The Colorado Just Transition Action Plan anticipates two broad, long-term impacts from OJT funding:
  - Help each coal transition community end up with more jobs, more property taxes, and more economic diversity than in 2019
  - Help workers laid off from coal facilities due to these closures to secure good new jobs or achieve secure retirements.
- Funding to date:
  - Long Bill funding: approx. \$370M annually for office operations and partial staffing
  - \$15M in General Funds for **Action Plan implementation and Community Assistance** (HB21-1290, HB22-1193, & HB22-1394)
    - \$11.46 M (76%) for community grants through 2026 (Goals: Economic diversification, Broaden property tax base)
      - \$5.5 M in grants approved in CY 2022, leveraging at least \$9M in federal and other funding
    - \$2.79 M (18%) to Action Plan implementation efforts, including central community and investor projects
    - \$750,000 (5%) for administration
  - \$15 M in GF for development and implementation of **Worker Assistance Program** (HB21-1290, HB22-1193, & HB22-1394)
    - Individualized assistance for transitioning coal and coal supply chain workers
    - Strategy due at end of FY 23, with funding authorized through 2027
    - Virtually no expenditures to date - the need for assistance will develop with closures later in decade.

# Employment First Advisory Partnership C.R.S. 8-84-303(7)

- Employment First Advisory Partnership (EFAP) reviewing and revising their initial recommendations
- Appropriation for 4 FTE (ongoing) supporting Employment First Initiatives within DVR
  - State as a Model Employer; Supported Employment Coordinator; and 2 FTE expanding access to students and youth with disabilities
- CDLE is piloting a Disability Hiring Preference in partnership with DPA to increase employment of people with disabilities within the State of Colorado
- Increased training opportunity and entities for providers of Supported Employment, Customized Employment, and Benefits Counseling
- DVR and Workforce Development Programs created the Disability Program Navigator - a partnership between DVR and local Workforce Centers to improve access and coordination of services for Coloradans with disabilities
- Business Outreach Specialist focused on improving access to Registered Apprenticeships

# Colorado Department of Labor and Employment SMART Act Hearing

Senate Committee on Business,  
Labor and Technology House Committee  
on Business Affairs & Labor



**COLORADO**  
Department of  
Labor and Employment

