

**DEPARTMENT OF LABOR AND EMPLOYMENT**  
**PERFORMANCE PLAN FY 2014-2015**

**I. MISSION STATEMENT**

The mission of the Colorado Department of Labor and Employment (CDLE) is *to protect and promote the integrity and vitality of Colorado's employment environment*. This statement encompasses every function of the Department as we serve Colorado's employers and workers to help our state thrive

**II. VISION**

CDLE's vision is *quality and excellence in all we do*, which means fulfilling our mission while providing an exceptional customer experience.

By:

- Consistently delivering exceptional service
- Building and strengthening stakeholder relationships
- Continuously improving processes
- Implementing optimal technology solutions, and
- Embracing a culture of engagement and accountability

**III. VALUES**

In order to have quality and excellence in all we do, CDLE is creating a values-based organization.

Our core values are:

- |                  |                |
|------------------|----------------|
| • Integrity      | • Excellence   |
| • Accountability | • Adaptability |
| • Collaboration  | • Teamwork     |
|                  | • Respect      |

## IV. DEPARTMENT DESCRIPTION

The Colorado Department of Labor and Employment (CDLE) includes five main divisions – Workers’ Compensation, Employment and Training, Oil and Public Safety, Labor and Unemployment Insurance – which serve Colorado’s workers and businesses through administrative, support and regulatory services. The Department is serving Colorado by:

- 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, and
- contributing to a stable economy by providing temporary wage replacement

Our mission at CDLE is to protect and promote the integrity and vitality of Colorado's employment environment. We have more than 1,000 employees advancing this mission through services to businesses and workers across Colorado. In good economies and bad, we are serving our customers to help our state’s workforce thrive, compete and succeed while supporting our business community with resources and information to help them save valuable time and money. We have divisions that are internationally renowned for their policy setting and serve as models for other states. We have programs that are engaging stakeholders in innovative ways and others that are pursuing new partnerships to maximize service.

### **Unemployment Insurance Division:**

- *The Unemployment Insurance (UI) Division* provides unemployment insurance in a fair, timely, accurate, and efficient manner to the employers and citizens of Colorado, to stabilize the workforce, and to minimize the impact of unemployment on the state's economy.

UI is funded 79 percent by Federal Funds provided by the United States Department of Labor and Employment, and 21 percent by State Case Funds (Unemployment Revenue Fund and Employment Support Fund and Employee Leasing Company Certification Fund).

The UI Division consists of four operating branches and a policy and communications unit located at 251 E. 12<sup>th</sup> Avenue in Denver, Colorado. The four operating branches - Claimant Services, Employer Services, Appeals, and Technology, Integrity and Program Support (TIPS)—provide the UI Division’s key services to the citizens and employers of Colorado.

- **Claimant Services** is the UI Division’s largest operating branch providing benefit-related services. This branch handles all inquiries from unemployed individuals providing phone, internet, and in person services. Additionally, this branch adjudicates unemployment claims applying current statute and regulations to determine claimants’ entitlement and eligibility to collect benefits.

- **Employer Services** determines employer liability, establishes accounts, obtains premiums and wage reports, collects premiums from employers, registers employee-leasing companies, audits employers, detects misclassified workers, and determines employment relationships. Employer Services is also responsible for the assignment of the appropriate paying method (contributory or reimbursing) and the experience ratings for Colorado contributory employers.
- **Appeals** have staff located throughout the state and provide a hearing venue for decisions issued by the Benefits, Employer Services, and TIPS branches that are appealed by a claimant or employer. Interested parties may attend the hearing either in person or by telephone.
- **Technology, Integrity, Program Support (TIPS)** is composed of Telephony Operations and Business Analysts; Quality Assurance, which performs federal oversight reviews to measure accuracy and quality; Benefit Payment Control, which provides overpayment prevention and processing by detecting and recovering improperly paid benefit payments; and Program Support, which provides administrative support functions for the UI Division.

**The Division of Employment and Training** consists of three distinct program areas: Workforce Development Programs (WDP), Colorado Workforce Development Council (CWDC), and Labor Market Information (LMI).

- ◆ **Workforce Development Programs (WDP)** provides a wide range of employment and training services for businesses and job seekers, delivered by the following workforce regions:
  - Adams County
  - Arapahoe/Douglas Counties
  - Boulder County
  - City and County of Denver
  - El Paso/Teller Counties
  - Jefferson/Clear Creek/Gilpin Counties
  - Larimer County
  - Weld County
  - Rural Consortium – remainder of counties divided into eleven sub-regions

Programs administered by WDP are funded by federal grants, and State cash funds. WDP is responsible for policy guidance, program oversight and administration, and overall programmatic and fiscal integrity in accordance with federal guidelines for each employment and training program and special initiative. WDP administers several major programs, including the following:

- The Colorado Rural Workforce Consortium (CRWC) is one of the nine federally designated workforce regions in the state of Colorado. The region serves 52 rural counties and is made up of the 11 regions whose vision is that every Colorado business has access to a skilled workforce and every Coloradan has access to

meaningful employment, resulting in statewide economic vitality. The regions include Pueblo, Broomfield, Upper Arkansas, Rural Resort, Mesa, Northwest, Western, Eastern, Southeast, Southwest, and South Central. The CRWC's mission is to foster business-focused workforce partnerships, effectively preparing rural Coloradans for the jobs of today and tomorrow.

- Wagner Peyser Act (WP) – Employment Services is a federally-funded program that provides non-fee labor exchange services to businesses and job applicants, matching job applicants with appropriate job openings, and offering self-service or staff assisted service options.
- Workforce Investment Act (WIA) – WIA is a federally-funded program that serves eligible adults and youth who need additional employment services, education, and/or training to prepare them to enter the workforce or to reenter the workforce after a job loss.
- Veterans Employment and Training Program This federally-funded program provides services to veterans and ensures that public labor exchange standards and priorities of services are being met and that businesses/employers are aware of veteran program requirements and are encouraged to hire veterans.

Other employment services include: Migrant Seasonal Farm Worker (MSFW), Trade Adjustment Assistance Program (TAA), Trade Readjustment Allowance Program, and the Displaced Homemaker Act.

Additional programs for employers include: the Work Opportunity Tax Credit program (WOTC) and Foreign Labor Certification.

- Displaced Homemaker Act – This cash funded program provides employment and training services to eligible displaced homemakers who have lost their source of economic support as a result of divorce, separation, widowhood, or ineligibility for other public assistance. Services provided through the Community College of Denver include tuition scholarships, job training, career assessment, supportive services, personal and vocational counseling, and job development and placement.
- ♦ ***Colorado Workforce Development Council (CWDC or Council)*** advises the Governor and Legislature on workforce policy and oversees the expenditures of federal employment and training funds. The Council designates Federal Workforce Investment Areas, certifies local Workforce Investment Boards, and makes recommendations to the Governor as appropriate. The CWDC is also required to review local plans and plans for system partners and recommend approval or rejection to the Governor, when required. In addition, the Council solicits grants and funds to support the development of a business-led workforce system. Funding for the Council comes from the Federal Workforce Investment Act funding through the Departments of Labor and Employment, Human Services, Education, Local Affairs, and the Community Colleges. The Office of State Planning and Budgeting (OSPB) is responsible

for determining the share of the cost to operate the Council that will be contributed by each of the required partners under the Workforce Investment Act.

A central function of the CWDC is to provide a vehicle for the business community to provide input and give direction/guidance to the workforce system's development. Activities the Council engages in include:

- Aligning the efforts of economic development, education/training, workforce development, government, and business stakeholders at the local, regional and state levels to encourage collaboration and leveraging of resources in order to ensure a well-educated and well-trained workforce is available to meet the needs of a growing and changing economy. This includes development and maintenance of an information system and a communication network.
  - Working to help ensure the success of the Colorado Blueprint. The Colorado Blueprint is the Economic Development Plan for the State of Colorado. Core Objective V of the Blueprint, Educate and Train the Workforce of the Future, is led by the CWDC.
  - Training and technical assistance to local Workforce Investment Boards.
  - Promoting the workforce system to businesses and the community, and convening partners and stakeholders to address workforce issues through studies/projects.
  - Monitoring and directing the continuous improvement of the workforce system.
  - Preparing the Workforce Investment Act (WIA) Annual Report on workforce system performance.
  - Staffing and supporting the State Youth Council. The State Youth Council influences policy and practice at both the state and local level in the development and implementation of pathways to economic success for Colorado businesses and youth.
- ♦ ***Labor Market Information (LMI)*** - Labor Market Information (LMI) gathers, analyzes and produces comprehensive information on employment conditions in Colorado through cooperative programs with the Bureau of Labor Statistics, the Employment and Training Administration and the U.S. Census Bureau. All programs are federally funded. LMI serves policy makers, the workforce development system, educators, employers, job seekers and the general public through the dissemination of information, including the development of comprehensive training curriculum in the retrieval and use of this information. LMI completes the requirements of the Bureau of Labor Statistics funded programs as specified in the Bureau of Labor Statistics Cooperative Agreement and the requirements of the Employment and Training Administration funded programs per the federal Workforce Information Grant.

LMI activities are authorized under the Wagner-Peyser Act of 1933, Section 14, and Section 15 as amended by the Workforce Investment Act of 1998, Section 309. The Colorado Work Force Investment Act authorizes CDLE to administer labor market information under C.R.S. 8-71-223(1)(a).

**The Division of Labor** administers Colorado employment and labor laws pertaining to wages paid, hours worked, minimum wage, labor standards, child labor, employment-related immigration laws, and working conditions. The Division of Labor also conducts all-union agreement elections, certifications of all-union provisions, and investigates and mediates allegations of unfair labor practices.

*The Wage and Hour Section* assists Colorado employees and employers with a variety of workplace laws, including minimum wage, overtime, unpaid wages, rest and meal period regulations, and other workplace requirements. In accordance with a 2006 constitutional amendment, the Division now adjusts the state minimum wage annually per inflation. The wage and hour laws administered by the Division apply, to a varying degree, to every public and private sector employer in the state.

*The Labor/Union Section* conducts certain union elections, assists with unfair labor practice charges, and oversees Colorado labor laws including the Colorado Labor Peace Act and the Industrial Relations Act.

*The Employment Verification Section* oversees the administration of the Employment Verification Law and the Public Contracts for Services Law. The verification law applies to all private and public sector employers in the state, and the contracts law applies to all contractors with contracts for public services. The Division conducts random audits and accepts complaints related to both laws.

*The Youth Employment Section* directs the administration of the Colorado Youth Employment Opportunity Act, and provides guidance on terms and conditions of employment for minors, including hazardous occupations, age, and work hour restrictions.

*The Workplace Conditions Section* receives complaints about employers violating the Ban on Employer Access to Personal Social Media law and the Employment Opportunity Act which prevents employers from using credit information in employment decisions for certain employees and job applicants. It also audits companies to ensure that Colorado labor is being employed to perform at least 80% of the work on a public works project as required by the Keep Jobs in Colorado Act.

The customers and constituents served by the Division include public and private employers, employees, unions, minors, and contractors. The Employment Support Fund is the primary source of funding for the Division. Detailed information, Fact Sheets, FAQs and other resources are available on the DOL website at <http://www.colorado.gov/cs/Satellite/CDLE-LaborLaws/CDLE/1240336908932> .

**The Division of Oil and Public Safety** is responsible for a variety of regulatory functions related to environmental and consumer protection and public safety, including establishing and enforcing rules, regulations and statutes which govern amusement rides and devices, explosives, boilers, conveyances, fuel products, underground and aboveground petroleum storage tanks, cleanup of petroleum spills and reimbursement of cleanup costs to qualifying storage tank owners/operators. The division is funded by cash funds with a small amount of federal funding. The Division of Oil and Public Safety is comprised of the following sections:

- *The Petroleum Compliance Section* enforces standards governing the registration, installation, repair, upgrade, operation, and closure of underground and aboveground storage tanks containing petroleum and other regulated substances through annual records requests and periodic compliance inspections conducted by State personnel. The Compliance Section also enforces weights and measures regulations pertaining to petroleum products, including verifying the calibration of fuel pump dispensing meters, and testing petroleum products to verify compliance with state quality standards.
- *The Petroleum Remediation Section* enforces cleanup standards governing the remediation of petroleum contamination and petroleum releases to the environment.
- *The Petroleum Storage Tank (State) Fund (Fund) Section* manages the Fund and receives and processes applications to the Petroleum Storage Tank Fund for reimbursement of costs related to assessment and cleanup of petroleum contaminated sites. Monies in the Fund are supplied by the ERS (Environmental Response Surcharge), a fee applied to deliveries of fuel to retail stations. The ERS ranges from \$0 if the balance is above \$12 million, up to \$100 if the balance is below \$3 million.
- Legislation in FY 2013 created the PCR (Petroleum Clean-up and Redevelopment Fund) to assist with the redevelopment of blighted properties previously operated as gas stations or some other business that contained petroleum storage tanks and from which petroleum contamination has been discovered. Property owners, including former tank owners, who are not eligible to the Petroleum Storage Tank Reimbursement Fund, may apply for assistance if they meet the required criteria.
- *The Boiler Inspection Section* regulates boilers and pressure vessels. A boiler is generally defined as a closed pressure vessel in which water is heated, or steam is generated, and circulated for domestic hot water, heating or power. Boilers and pressure vessels are located in most public buildings, such as schools, churches, hotels, restaurants, health clubs, nursing homes, apartments, dry cleaners and office buildings, so the Boiler Inspection Section coordinates with the owners of these facilities to ensure their compliance with the regulations. Boiler inspections are performed by state inspectors and by special (insurance company) inspectors commissioned by the state program.
- *The Explosives Section* regulates individuals and businesses that use, manufacture, possess, sell, store, transport or dispose of explosives or blasting agents. This section does not regulate military explosives, law enforcement agencies, mining, or fireworks.

- *The Amusement Rides and Devices Section* protects the public through a registration process and enforcement of regulations related to carnivals, amusement parks, and other amusement rides and devices. The section ensures that amusement rides and devices that operate in the state have annual third-party safety inspections and that all required maintenance and inspections are recorded and performed daily prior to rides being open to the public.
- *The Conveyance Section* regulates the installation, alteration, and periodic inspection and testing of conveyances as defined in the Elevator and Escalator Certification Act. These conveyances consist of elevators, platform lifts, personnel hoists, dumbwaiters, escalators, moving walks, and automated people movers like the trains at Denver International Airport. The section is responsible for ensuring that conveyance owners comply with minimum safety standards regarding the performance of the above activities within the conveyance industry.

**The Division of Workers' Compensation** The Division of Workers' Compensation (DoWC) administers and enforces the provisions of the Workers' Compensation Act. The objective of the Workers' Compensation Act, and thus the Division, is to assure the quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, with a minimum of litigation. The division is funded by cash funds.

The operations of the DoWC generally fall into the categories of dealing with claims, insurance, or medical issues. The division works closely with stakeholders and other customers that include insurance companies, attorneys, physicians, and other health care providers. The Special Funds Unit, consisting of the Major Medical Fund, the Subsequent Injury Fund, and the Medical Disaster Fund, operates like an insurance company and actually pays out benefits. These programs are funded by a separate surcharge on workers' compensation premiums, and are closed to new injuries. The funds pay out to certain individuals who met the statutory criteria when they were open. Otherwise, the DoWC's role is one of oversight and it does not pay benefits.

The Division mediates disputes and assists parties with settling their claims. The DoWC has a voluntary safety program, funded by a specific surcharge on workers' compensation insurance premiums, for employers to reduce the number of accidents for those employers participating in the program. The DoWC also administers the self-insurance program whereby qualified employers may self-insure their workers' compensation liability.



# Department of Labor and Employment Organization Chart

**CDLE FY 14-15 Funding Summary:**  
**Total Funds: \$167,047,063**  
**General Fund: \$259,785**  
**Cash Funds: \$66,014,571**  
**Reappropriated: \$650,740**  
**Federal Funds: \$100,121,967**  
**FTE: 1,016.0**

Executive Director's Office

**Ellen Golombek**  
Executive Director

**Kristin Corash**  
Deputy Executive Director

\$41,294,610 – TF  
 \$53,230 – GF  
 \$19,724,434 – CF  
 \$157,006 – RF  
 \$21,359,940 – FF  
 99.9 FTE

Unemployment Insurance Division

**Jeff Fitzgerald**  
Division Director  
\$38,213,467 - TF  
 \$10,109,784– CF  
 \$28,103,683– FF  
 479.1 FTE

Division of Employment and Training

**William Dowling**  
Division Director  
\$58,609,222 – TF  
 \$10,256,101 – CF  
 \$474,416 – RF  
 \$47,878,705 – FF  
 208.9 FTE

Labor Market Information

**Alexandra Hall**  
\$2,081,541 – TF  
 \$11,323 – CF  
 \$2,070,218 – FF  
 30.3 FTE

Division of Labor

**Michael McArdle**  
Division Director  
\$1,420,233– TF  
 \$206,555 - GF  
 \$1,213,678 – CF  
 18.8 FTE

Division of Oil and Public Safety

**Mahesh Albuquerque**  
Division Director  
\$5,634,101– TF  
 \$4,908,362 – CF  
 \$19,318 – RF  
 \$709,421 – FF  
 68.0 FTE

Division of Workers' Compensation

**Paul Tauriello**  
Division Director  
\$19,793,889– TF  
 \$19,793,889 – CF  
 111.0 FTE

V. OBJECTIVES, PERFORMANCE MEASURES, STRATEGIES AND EVALUATION OF SUCCESS

Department-wide objectives:

I. Customer Service

*Objective:* Consistently deliver exceptional service

*Measurement:* Customer satisfaction will be measured through the creation and implementation of an ongoing customer service survey and after a baseline is set will increase by 5% annually up to a threshold of 95%.

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Customer Satisfaction across CDLE will increase by 5% annually up to 90%	Benchmark	NA	52%	57%	+5%
	Actual	49.5%	54.4%		

*Strategies:*

- Develop multimedia survey response capabilities utilizing e-mail, Internet, and mail
- Foster an agency wide culture of service based on values.
- Utilize customer feedback and strategic initiatives to improve service delivery
- Set annual customer satisfaction improvement goal
- Engage employees across the agency by developing a cross-agency group that focuses on customer service
- Maintain an effective Continuity of Operations Plan (COOP)
- Achieve or exceed goals on all strategic initiatives

The online CDLE customer survey was rolled out in April 2012. We evaluated the survey after the first quarter to determine our benchmark (49.5%) and our areas for improvement. We continue to notice three common themes across CDLE in the comments from our customers that we are working to improve including:

- Timeliness on service delivery;
- Consistency among staff; and
- Website navigation.

Utilizing CDLE Strategic Initiatives all Divisions are implementing actions to address these three themes within their programs, which will result in improved customer satisfaction across the department. Results from the ongoing customer survey for FY 2012-13 indicate a 4.9% increase in external customer satisfaction. We have also implemented internal customer service surveys for support function within CDLE. Besides the online survey for external customers, CDLE rolled out a postcard type survey in 2013. We are

helping establish a culture of service throughout the agency by sharing kudos and thank you's from customers and other examples of great service at staff meetings, quarterly newsletters, blogs, postings on bulletin boards, etc. As part CDLE's commitment to outstanding customer service, our COOP has been updated to fully prepare for an immediate and effective response to, and recovery from a disaster.

## II. Employee Engagement & Accountability

*Objective:* Establish a culture of engagement and accountability that affords employees the opportunity, structure, and tools to thrive and provide an exceptional customer experience.

*Measurement:* Employee engagement will be demonstrated through increased percent stating agree or strongly agree on the annual CDLE employee survey.

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Improve employee survey results by 5% annually	Benchmark	N/A	78.1%	68.5%	+5%
	Actual	74.4%*	65.2%**	76.6%***	

\*Data source: June 2011 Employee Engagement Survey

\*\*Data source: June 2012 Employee Engagement Survey

\*\*\*Data source September 2013 Employee Engagement Survey

Research shows that employee satisfaction is an important factor in customer satisfaction, productivity and performance. That is why CDLE has made it a high priority. Based on the results of the employee survey, CDLE has developed the following strategies to increase employee satisfaction:

### *Strategies:*

- Maintain the Employee Quality and Excellence Plan (EQEP) as a tool and include simplifying the tool and process and improving communication
- Maintain Covey as the foundation of the Leadership Development Program
- Continue to utilize the CDLE Employee Engagement Survey modifying survey questions where appropriate
- Improve the Upward Feedback survey tool
- Maintain the new vision for Organizational Development and Training
- Maintain and better communicate the CDLE Rewards and Recognition Program
- Continue to work on Succession Planning so that CDLE can maintain its high quality of employees over time
- Routinely evaluate employee communication tools to ensure they are effective
- Establish a cross-agency Employee Engagement and Accountability team to collaborate, share best practices, and advance agreed upon legacy

efforts, that will create more employee engagement with the ultimate outcome of improving the customer experience throughout CDLE.

- Encourage the practice of appropriate change management
- Encourage and support mentoring, coaching and development planning with staff
- Sustain a values-based culture
- Identify and encourage behaviors based on our values that improve accountability, performance, and support the vision of quality and excellence in all we do
- Grow accomplished supervisors and managers

*Results:*

- Refined our performance and development plan (Employee Quality and Excellence Plan) to strengthen accountability at all levels in the organization
- Improved and expanded lines of communication from employees to management and executive staff
- Empowered staff through employee driven committees to elicit feedback for change
- Refined the CDLE Leadership Development program

The original employee survey was conducted in June 2011. Based on the results and comments from that survey as well as stakeholder comments and economic realities, we developed our strategic plan and initiatives and made other changes at CDLE. With change there is naturally some level of anxiety and change can be difficult. The employee survey bears that out. From FY 2011-12 to FY 2012-13 the percent of employees stating they were satisfied decreased by 9.16 percentage points. At the same time, the percent who stated they were dissatisfied increased slightly (1.22 percentage points). The difference is made up by the increased number of responses that were undecided or gave no response to some questions (+7.93 percent). We believe this is the result of new employees wanting to participate in the survey but not yet having formed an opinion. Given our objective to increase by 5 percent each year the FFY 2013-14 goal was to have at least 68.5 percent of employees stating agree or strongly agree on the annual CDLE employee survey. The actual results showed 76.6 percent satisfaction, an increase of 11.4 percentage points. This year, leveraging our Values Team for promotion, we are continuing our robust “Your Voice Matters” marketing and engagement plan. Last year, participation in the survey was 85% and we hope to maintain that same high level of participation in the coming survey.

### III. Process Improvement

*Objective:* Maximize the value we bring to our customers and stakeholders through our work processes

*Measurement:* Implement five key process improvements annually that bring savings of cost, time, and/or create an exceptional experience for our customers or stakeholders

<b>Performance Measure</b>	<b>Outcome</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2014-15</b>
Implement process improvement in each of five divisions	Benchmark	5	5	5	5
	Actual	5	8	5	

#### *Results*

- Established core leadership team for process improvement
- Determined the priority of projects and allocation of resources
- Reported out results of process improvements
- Established a process improvement forum for exchange of best practices and efforts within CDLE
- Ranked highest in the state on Lean related questions in the 2013 Statewide Employee Engagement Survey

#### *Strategies:*

- Develop a culture of continuous process improvement, focusing on the customer
- Continue to identify and implement process improvement opportunities
- Continue to determine the priority of projects
- Continue to report out results of process improvements
- Continue to collaborate internally through the Process Improvement Forum
- Collaborate with other agencies to learn and share best practices and efficiencies
- Continue to make Lean training opportunities available to staff

Each of CDLE’s five divisions has implemented at least one successful process improvement project. All projects have outcome measures showing how the process has become more efficient and effective – more lean.

A total of five process improvement projects utilizing the Lean methodology have been completed at CDLE during FY 2013-14. CDLE continues to measure the outcomes from each project to ensure sustainability of the improvements recognized by these efforts.

The Lean methodology has encouraged collaboration and greater engagement among staff of all levels within CDLE.

IV. Technology

*Objective:* Implement optimal technology solutions that create an exceptional customer experience

*Measurement:* Timely resolution of technology issues identified by users of applications and infrastructure as reported in the service desk system.

Performance Measure	Outcome	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
Overall CDLE % of service incidents resolved within Service Level Objective	Benchmark	90%	90%	90%	90%
	Actual	97.5% <i>(June 2013 data only)</i>	97.6%		

*Measurement:* Percentage of critical systems and applications meeting their availability targets.

Performance Measure	Outcome	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
Overall CDLE % of critical systems meeting their availability targets	Benchmark	90%	90%	90%	90%
	Actual	96.7% <i>(June 2013 data only)</i>	98.9%		

*Strategies:*

- Define the portfolio of technology projects, services and assets for the Department.
- Approach technology projects with a focus to better serving the customer; where possible, engage the customer in the project
- Actively engage and partner with OIT
- Develop appropriate technology governance processes to effectively prioritize, manage and report on our technology activities and projects.
- Implement technologies that align with the Governor’s Office of Information Technology roadmap and drive improved costs, productivity and support for the customers of the Department.
- Execute on operational processes and have in place the necessary skills to satisfy project demands, problem resolution needs and system availability requirements.
- Assure appropriate funding is in place for successful technology projects and support activities.
- Continue the IT Steering Committee with members from OIT and across CDLE who provide IT governance; meets to review status and make critical decisions regarding IT operations, support and projects.

*Results:* A tracking mechanism was put in place to manage the overall portfolio of projects and critical services for the agency. Regular governance meetings are held to prioritize work efforts and proactively manage issues and risks.

Several major projects prioritized, funded and initiated during FY 2014: Unemployment Insurance (UI) Modernization (WyCAN Consortium); UI TWINS/Federal Compliance Dashboard; Oil and Public Safety Licensing, Permitting and Inspection Application; CDLE Financial ERP System Implementation; and a new funding request for a Workers Compensation Mainframe Application Modernization.

V. Partnerships & Stakeholder Relationships

*Objective:* Build and strengthen relationships with partners and stakeholders

*Measurement:* Each division within CDLE create a stakeholder group

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Five Stakeholder groups created	Benchmark	New	New	5	5
	Actual	New	New	5	

*Measurement:* Survey two stakeholder groups per year to assess how CDLE could provide better service.

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Survey 2 stakeholder groups	Benchmark	New	New	2	2
	Actual	New	New		

*Measurement:* Hold at least 10 stakeholder group meetings annually.

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
10 stakeholder group meetings annually	Benchmark	New	New	10	10
	Actual	New	New		

Strategies:

- Assess partner and stakeholder needs and set targeted strategies to increase effectiveness of relationships
- Continue to create a CDLE annual report and distribute to partners and stakeholders
- Conduct audit review of department online information for jobseekers and use results in new “Jobseeker Toolkit”
- Utilize federal grants to outreach to Colorado’s small employers and on-board into new online tools and services
- Expand “Employer Toolkit” to include all CDLE resources for employers
- Create a CDLE employer newsletter
- Create a CDLE cross-divisional stakeholder group
- Partner on stakeholder outreach

- Establish a cross-agency Partner and Stakeholder Relationship team to collaborate and share best practices that will engage employees in increasing effectiveness of relationships with the ultimate outcome of improving the customer experience.

Results:

- Conducted partner and stakeholder survey for each division on relationship strengths and weaknesses and determined opportunities for enhancement.
- Created CDLE master database to house all department partner and stakeholder contact information for resource mapping, communication and outreach, policy development, and advocacy.
- Created new online “Employer Toolkit” and services for Colorado employers: My UI Employer for unemployment premium information and SIDES for job separations.
- Created workers’ compensation stakeholder group for the Division of Workers’ Compensation
- Partner with federal agencies to conduct three compliance outreach events for the Division of Oil and Public Safety.
- Created new quarterly press release with data from CDLE’s Office of Labor Market Information to provide more up-to-date picture of Colorado’s economy
- Created monthly press calls on employment situation press releases from the Office of Labor Market Information.
- Created individualized congressional newsletters
- Hosted the Sectors Summit, aligning workforce development, education, and economic development with industry needs for a skilled workforce.
- Partnered with Colorado Community College System and others to support Career Pathway development
- Convened and supported regional-state and public-private partnerships
- Partnered with the Colorado Legacy Foundation in developing the plan for implementing the Governor’s STEM Roadmap.



## VI. Objectives by Division

Following are strategies by division that each is following to meet the department-wide objectives as well as their own division-specific objectives, measures, and strategies.

### Unemployment Insurance

The mission of the Unemployment Insurance Program is to provide unemployment insurance in a fair, timely, accurate, and efficient manner to the employers and citizens of Colorado, to stabilize the workforce, and to minimize the impact of unemployment on the state's economy.

*Objective:* Improve efficiency and effectiveness of operations processes to meet and exceed performance measurements and improve daily operations.

*Measurement:* Identify and implement at least one key process improvement annually.

*Measurement:* Seek to meet all federal compliance standards by FY 2014-15 with emphasis on the federal core measures

*Context and Rationale for targeted key Unemployment Insurance processes and outcomes:*

In an effort to be “lean” and provide efficient, effective, and elegant customer service, the UI Division looks at all of our systems and processes daily to identify how, when, and where to change, alter, and streamline our customer-service delivery. This includes not only technology solutions, but also includes eliciting ideas from those on the frontline administering the systems and processes and considering national best practices. The primary objective of the UI Division, in support of the citizens and businesses of Colorado, is to minimize the impact of unemployment on the state's economy by ensuring timely and accurate benefit payments to eligible claimants. These core principles ensure that efficiency, effectiveness, and integrity drive our program and support Colorado’s economy.

The UI Division embraces the Lean philosophy. To ensure the success of the completed Lean projects, the UI Division is creating a Lean cadre. The cadre will collaborate with the Process Improvement Team to review all process-improvement suggestions. Through this review, the team will determine the viability of the suggestion and create a scalable process that can be followed for each suggestion creating consistency in the process-improvement efforts.

Determinations made by the UI Division on unemployment claims and the resulting outcome relative to the percentage of those decisions that are prompt is a key customer service and internal process within the UI Division for a number of reasons:

- The time it takes for decisions to be made on claims can be a primary driver for inbound calls into our Customer Service Center (CSC).
- The adjudication function is a primary driver of other internal functions within the UI Division—its outcomes are inputs into other processes.

- Because of an outdated information technology system platform, there are limitations to access on the status of a pending claim for a customer; this in turns drives inbound calls to the CSC.
- Similarly, current information technology hinders communication capabilities to customers on the status of their pending claim, again driving inbound calls to the CSC.
- Finally, when the UI Division does make payments promptly to waiting customers, it prevents inbound calls.

The second key process within the UI Division is the internal Benefits Accuracy Management (BAM) Team procedure for improper-payment detection, and the resulting outcome measuring the estimated percent of improperly paid benefits to claimants. This is a primary focus for the Division because:

- The percentage of properly paid benefits has a direct bearing on both types of customers—claimants and employers.
- The health of the UI Trust Fund is impacted by the percentage of properly paid benefits.
- The breakout report of improperly paid benefits illuminates for the Division the areas it can control and improve upon for this measure, versus those outside the scope of our direct control.
- Analysis of improper payments suggests strategies that can be used by the UI Division to improve prevention of future improper payments and collection of current improper payments.
- Finally, underpayments of benefits drive inbound calls to our CSC.

### Improper Payments

The three main root causes of improper payments in Colorado: separation, benefit-year-earnings and work-search issues.

- **Separation**  
Improper payments resulting from separation issues occur when BAM investigators determine that a different entitlement decision should have been made on a job separation. In most cases, this occurs because the BAM investigator obtains additional or different information than that available at the time the original decision was made. The BAM program also found improper payments resulting from separation issues. For the majority of cases where the UI Division had responsibility, BAM found that the UI Division either took incorrect action or failed to follow proper procedures. For the majority of cases where the claimant had responsibility, the claimant provided inadequate information. In some instances, the employer did not provide any information or provided late or inadequate information. The UI Division is renewing efforts to focus on quality decisions being made, as well as improving communications with the employer to stress the importance of their participation and responsibility in maintaining the integrity of the UI trust fund.

- **Benefit-Year Earnings**  
Improper payments resulting from benefit-year earnings occur when BAM investigators find that a claimant incorrectly report wages or other payments, such as vacation or holiday pay, for a week in which the claimant was paid benefits. The BAM program found improper payments resulting from benefit-year-earnings issues. This occurs when a claimant either did not report earnings or reported earnings incorrectly when requesting payment. The improper payments were generally detected through the claimant interview and/or through verification of wages. We are improving communications to help claimants understand their responsibility to properly report any work and earnings while receiving benefits, including explicit guidance in publications, e-mail messages when an individual reports earnings when requesting payment of benefits, and verbal messages played on the CSC queue while waiting on hold. Beyond the improved communication efforts, we have implemented a new cross-match system, which enhances and automates overpayment-detection processes. The detection of overpayments enhance our recovery efforts, which has a direct impact on the net improper-payment rate.
- **Work-Search Verification**  
Improper payments resulting from work-search verification occur when Benefits Accuracy Measurements (BAM) investigators are unable to verify that a claimant sought work as required. We are improving communications with claimants and coaching continues to be provided to all investigators.

The above analysis of improper payments helps to illustrate why the U.S. Department of Labor (USDOL) set the acceptable standard for improper payments at 10% or less for states—specifically, not all the elements that can be used to determine benefit payments are within the control of the Division, and as such benefit decisions are made on the information available at that time. Further, either party (claimant or employer) can appeal the determination of a benefit, and at that time present new information that can impact the amount of a benefit payment, up or down. Such changes after an appeal still count as improper payments caused by the Division.

*Objective:* Improve processes to ensure timely and accurate benefit payments

*Key Process: Determinations made by the UI Division on unemployment claims*

Key Process	Inputs	FY 2011-12	FY 2012-13	FY 2013-14	FY 2016-17
Determinations made by the UI Division on unemployment claims	% FTE working within Claims Processing Unit on new claims adjudication	77.9%	91.8%		
	New Claim Filings Per Quarter	Q1=52,494	Q1=38,456		
		Q2=49,248	Q2=48,618		
		Q3=43,251	Q3=45,937		
		Q4=39,171 <sup>1</sup>	Q4=41,020		
	Total Adjudication Issues Detected per Quarter*	Q1=96,051	Q1=105,601		
		Q2=97,336	Q2=106,577		
		Q3=93,969	Q3=106,891		
		Q4=86,663	Q4=108,044		

*\*NOTE: An issue is a temporary hold established to prevent payment while the UI Division investigates eligibility to collect benefits. An individual claim processed can have multiple issues that must be resolved before a determination can be made.*

*Outputs:*

Key Process	Outputs	FY 2011-12	FY 2012-13	FY 2013-14	FY 2016-17
Determinations made by the UI Division on unemployment claims	Total Estimated Claims Processed per Quarter	Q1=49,743	Q1=51,975		
		Q2=45,674	Q2=46,472		
		Q3=45,637	Q3=49,043		
		Q4=39,686	Q4=47,471		
	Total Issues Resolved per Quarter	Q1=89,539	Q1=114,346		
		Q2=91,347	Q2=102,238		
		Q3=100,402	Q3=107,895		
		Q4=99,216	Q4=105,030		

*Outcome Measurement: Meet or exceed federal performance metrics for first payment promptness*

<sup>1</sup> Data includes claims filed through 09/22/2012.

Key Process	Inputs	FY 2011-12	FY 2012-13	FY 2013-14	FY 2016-17
Unemployment Insurance internal Benefits Accuracy Management Team process for improper payment detection	% of FTE within Quality Assurance Team working on Benefit Accuracy Management review	77.8%	77.8%		
	Federally mandated caseload of total claims reviewed per quarter	Q1=123 paid; 124 denied	Q1=120 paid; 123 denied		
		Q2=120 paid; 120 denied	Q2=1118 paid; 116 denied		
		Q3=122 paid; 122 denied	Q3=118 paid; 123 denied		
		Q4=120 paid; 123 denied	Q4=125 paid; 120 denied		

\*Percent of all 1st payments made within 14/21 days after the week ending date of the first compensable week in the benefit year.

Performance Measure	Outcome	FY 2011-12		FY 2012-13		FY 2013-14		FY 2016-17	
		Metric	Change	Metric	Change	Metric	Change	Metric	Change
Meet or exceed federal performance metrics for First Payment Promptness*	National Benchmark >= 87%	87%	0%	87%	0%	87%	0%	87%	0%
	Actual	82.6%	-2%	76%	-7.9%	66.2%	-9.8%		

*Key Process:* Unemployment Insurance internal Benefits Accuracy Management Team (BAM) process for improper payment detection.

*Outputs:*

Key Process	Outputs	FY 2011-12	FY 2012-13	FY 2013-14	FY 2016-17
Unemployment Insurance internal Benefits Accuracy Management Team process for improper payment detection	Improper Payment Error Cause % Breakout <sup>2</sup>	Benefit-Year Earnings: 36.4%	Benefit-Year Earnings: 25.45%		
		Separation Issues: 31.5%	Separation Issues: 28.31%		
		Work-Search Verification: 17.2%	Work-Search Verification: 23.34%		
		Other Improper Payment Issues: 7.9%	Other-Pay Issues: 12.27%		
	Eligibility Issues (able to work, available for work, failing to report): 5.9%	Ability/Availability to Work: 5.38%			
		Work Registration: 4.13%			
	Base Period Wage Issues (incorrect wages used to determine benefits): 1.1%	Base Period Wage Issues (incorrect wages used to determine benefits): 1.13%			
	Improper Payment Error Responsibility % Breakout	Claimant Only: 58.4%	Claimant Only: 55.15%		
		Claimant, Employer, and Agency: 12.6%	Claimant, Employer, and Agency: 4.54%		
		Agency Only: 11.9%	Agency Only: 7.33%		
		Claimant and Employer: 7.9%	Claimant and Employer: 15.20%		
		Claimant and Agency: 5.7%	Claimant and Agency: 8.69%		
		Agency and Other: 1.4%	Agency and Other: 0%		
		Employer and Agency: 1.1%	Employer and Agency: 4.79%		
Claimant, Employer, Agency, and Other: 1%		Claimant, Employer, Agency, and Other: 0.91%			
	Employer Only: 3.4%				

<sup>2</sup> Preliminary data through April 30, 2013

*Outcome Measurement:* Reduce the percentage of improper payments to the nationally acceptable level (as an extrapolated percentage of all UI benefits payments)

Performance Measure	Outcome	FY 2011-12		FY 2012-13		FY 2013-14		FY 2016-17	
		Metric	Change	Metric	Change	Metric	Change	Metric	Change
Reduce the percentage of improper payments to the national acceptable level.	National Benchmark <= 10%	12.5% (National Average)	-28% (from 2010 level)	10.67% (National Average)	-20%				
	Actual	12.9%	-27%	10.85%					

*Key Workload Indicators:*

**Number of Weeks Claimed**

Calendar Year	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Estimate*	2014 Forecast*	2015 Forecast*	2016 Forecast*
<b>UI Weeks Claimed</b>	1,562,509	3,673,371	3,386,823	2,692,331	2,345,180	2,068,742	2,110,117	1,849,367	1,890,977

\*Forecast assumes moderate growth in the economy.

## **Employment and Training and the Colorado Workforce Development Council**

Employment and Training includes Workforce Development Programs and the Rural Workforce Consortium. Its mission is to provide administration and delivery of workforce initiatives that enhance Colorado’s economic vitality. The Colorado Workforce Development Council (CWDC) provides leadership and direction for workforce programs in the state. Its mission is to create a business-focused system that integrates the work of economic development, education, training, workforce development, government, and business stakeholders in creation of and access to a highly competitive workforce.

### **Workforce Development Programs and Rural Workforce Consortium**

#### **Process**

In alignment with the strategic direction of the Colorado Workforce Development Council, Workforce Development Programs administers, oversees, disseminates funding, creates policies, and develops virtual technologies to support the statewide network of workforce centers who are primarily responsible for direct services to job seekers. Workforce centers, including those in the Rural Workforce Consortium, offer both one-on-one and self-service options to job seekers, who may choose to access these services on-line through Connecting Colorado, the Virtual Job Fair or the Virtual Workforce Center at Libraries, or go in-person to a workforce center. All job seekers register in Connecting Colorado; then they may receive a variety of services, including access to job listings, matching to appropriate openings and referrals to employers, vocational counseling, skills assessments, labor market information, work search workshops, job fairs, and, when appropriate, referrals to training programs that will increase their ability to compete for jobs. All job seeker services, outputs, and outcomes are captured in Connecting Colorado including the “Total Job Seekers Served” and the “Percentage of Persons Working in the Quarter Immediately Following Receipt of Workforce Services.”

#### **Outputs**

<b>Description</b>	<b>FY11-12 Actual</b>	<b>FY12-13 Actual</b>	<b>FY13-14 Actual</b>	<b>FY 15-16 Projection</b>	<b>FY 17-18 Projection</b>
Total Job Seekers Served	460,662	469,798			
Total Job Openings Received	186,046	1,005,624*			

\*Job openings have increased in part because of the gradual increase in jobs created, but primarily because CDLE now has access to the job listings from US. Jobs, the national data based supported by a consortium of businesses and the National Association of State Workforce Agencies.



*Objective:* Increase entered employment outcomes and business participation in the workforce system to support the Colorado Blueprint goal to “Educate and train the workforce of the future.”

*Measurement:* Meet the negotiated percentage goal of persons working in the quarter immediately following receipt of workforce services.

Performance Measure	Outcome	FY 2012-13 Actual		FY 2013-14 Actual		FY 2015-16 Estimate		FY 2017-18 Estimate	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
The percentage of persons working in the quarter immediately following receipt of workforce services	Benchmark*	54%	+1%						
	Actual	52.87%	+86%						

\*This measure is negotiated annually with the US Department of Labor

**Strategy:** Employment and Training’s programs will pursue implementation of the following strategies to increase employment outcomes for all job seekers, UI claimants and those completing training programs, and increase employer participation in the workforce system:

- Support sustainability of the targeted industry sector initiatives maximizing employment and training opportunities across all growth industries across the state.
- Implement technology initiatives that offer “anywhere, anytime” educational and employment opportunities to Colorado’s job seekers, students, employers, and workforce professionals.
- Make available Virtual Workforce Centers at the Libraries to support the Rural Workforce Consortium region including 52 counties. Methods to measure success will be identified for outcomes such as the following:
  - ✓ Jobs Posted
  - ✓ Jobs created
  - ✓ Training Completed
  - ✓ Certifications
  - ✓ Job orders filled and people hired
  - ✓ People served by us and our partners
- Continue initiative to standardize core services offered to the business community across local workforce regions and develop on-line tracking tools to support all business services activities.

**Context:** Workforce business services are provided by the state through workforce programs and by each local region. The services provided vary by region; this is confusing and frustrating for businesses and job seekers alike. Standardizing the core basic services that are provided to businesses through the workforce system, we will be able to better serve all customers and more clearly identify opportunities for collaboration. Additionally, the Virtual Workforce Center will provide greater access to workforce services for both job seekers and employers.

***Evaluation of Prior Year Performance:*** Outcomes for all workforce system employment and training programs were directly impacted by the slow recovery and budget reductions initiated by Congress. This is evidenced by a limited increase in the percentage of all job seekers and UI Claimants obtaining employment by the first quarter after services were provided. The exception was those receiving training, which speaks directly to the competitive edge that recent training and achievement of credentials provides to those seeking employment. The number of employers accessing the workforce system increased; one positive indicator that economic recovery is occurring, however slowly.

Despite these challenges, the percentages achieved met the US Department of Labor standards for “entered employment” at the 80% of goal or greater level. This is considered acceptable and not subject to a corrective action plan process. Workforce Development Programs expects to improve program performance with the strategies detailed above as the economy strengthens and additional jobs are created.

### **Colorado Workforce Development Council**

*Objective:* Increase opportunities with strategic partners and stakeholders to provide value to Colorado.

*Context:* The Mission of the Colorado Workforce Development Council is to create and sustain a business-led Colorado talent system that appropriately integrates the work of economic development, education, training and workforce development to meet the needs of businesses, students and job-seekers.

The Council consists of:

- 30 Business members representing 12 of the 14 Key Industries as identified by the Colorado Blueprint
- Business members representing each of the 9 Workforce Development regions and each of the 11 sub-regions.
- Representation from 6 State Agencies; Colorado Department of Human Services, Department of Local Affairs, Colorado Department of Higher Education, Colorado Department of Education, Office of Economic Development and International Trade, CDC, and Colorado Department of Labor and Employment.
- 2 County Commissioners
- 2 Colorado Senators, 2 Colorado Representatives
- 2 Labor Representatives
- Colorado Community College System representative

Partner participation on Committees include:

- Local economic development, and workforce development
- Local Educators K-12 and Post Secondary
- Colorado Education Initiative

National Connections include:

- National Governors Association
- National Association of Workforce Boards
- National Association of State Workforce Agencies
- National Association of Workforce Development Professionals

**Outputs:**

Industry informed and systems aligned initiatives such as:

- Sector partnerships
- Career pathways
- Colorado STEM Roadmap
- Jobs for the Future

**Outcome:**

- Colorado businesses have access to the skilled workforce they need and Coloradan's have access to meaningful employment.

*Measurement:* 90% active participation of council members.

Performance Measure	Outcome	FY 2011-12	FY 2012-13	FY 2013-14	FY 2016-17
90% active participation of council members	Benchmark*	90%	90%	90%	90%
	Actual	85%	87%		

\*CWDC's goals for active engagement of members

**Strategy:**

Utilize the CWDC committees and taskforces to convene partners, increase collaboration, leverage resources and ensure coordination and support of grant opportunities. Committees include:

- Executive Committee: Cross Agency Collaboration, System Alignment
- Advocacy Steering Committee: Policy & Legislative Issues, Awareness, Alignment
- Sectors Steering Committee: Sector Partnerships, Key Industry Networks, Business Services
- Education & Training Steering Committee: Career Pathways, State Youth Council, Governor's STEM Action Plan

Assess, improve and integrate services and programs supporting business, employment, and education.

- Lead standardization of business services, horizontally and vertically, across partners and organizations at the regional and state level.
- Utilize Sector Partnerships to ensure industry driven talent development.
- Leverage partnerships to implement a statewide Career Pathway framework.
- Support STEM (Science, Technology, Engineering & Math) and 21<sup>st</sup> Century Learning efforts across Colorado.

- Strengthen and fully utilize the CWDC network to ensure active and timely communication, seek and share information on relevant issues, and advance Colorado's talent system.

## **Division of Labor**

The mission of the Division of Labor is to aid Colorado employees, employers, and the general public through the responsible administration, regulation, and enforcement of Colorado labor laws.

### **Wage and Hour Claims:**

<b>Performance Measure</b>	<b>Outcome</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Actual</b>	<b>FY 2015 Estimate</b>	<b>FY 2018 Estimate</b>
Percentage of claims successfully resolved* through mediation, conciliation, and other efforts.	Benchmark	85%	85 %	85 %	85%
	Actual	86%			

\* Successful claims include paid wage claims and achievement of employer compliance. Unsuccessful claims include employer bankruptcy, lack of Division authority, and employer noncompliance.

#### *Strategies:*

- Constant refinement of publications and website content in conjunction with Google analytics results and search trends;
- Increased outreach to a broad customer base through multi-method educational programs;
- Continue to utilize a multifaceted approach in making sure that employees are treated fairly including:
  - ✓ Extensive educational efforts;
  - ✓ Rulemaking, and
  - ✓ Compliance activities
- Focus on: increased staff training
- Improve, and standardize agency claim processing and quality control review procedures

*Context:* The customer base for the Division of Labor includes employees, employers, third-party representatives, law firms, and many others. All such customers seek and request timely and accurate information; desire a fair opportunity to present their perspective or inquiry to the agency; and wish to be treated with respect, professionalism, and impartiality. The Division of Labor's educational materials are at the forefront of establishing and conveying Colorado's workplace requirements; creating, maintaining, and revising publications and public materials are crucial to ensuring that customers are well educated and informed through all phases of their interactions with the Division. Diversity in methods of correspondence, expediency in response to inquiries, and expertise in the subject matter are common preferences of the Division's customers.

#### *Inputs:*

- *Handling incoming phone calls*
- *Dealing with walk-in customers*
- *Processing internet based claims*
- *Employee and employer contact/coordination/mediation*
- *Record information gathering*
- *Monetary recovery*
- *Number of claims received/resolved*

*Outcome:* The Division places a strong emphasis on achieving proper and timely payment of valid wage claims. However, historical precedent and recent economic trends have demonstrated that a relatively small percentage of employers will refuse to comply with the law and compensate their employees appropriately. The approximately 12 to 14% of wage claims that are ultimately classified as non-compliant typically involve employers who (1) do not have the funds to pay their employees, (2) are actively engaged in criminal or illegal behavior, or (3) wish to litigate or pursue the dispute in another forum (Usually Small Claims Court).

*Process:* The Division accepts written wage complaints that address a variety of different wage and hour topics. The Division receives approximately 5,000+ written wage complaints per year. Common issues include: non-payment of overtime, minimum wage, promised/contractual wages, commissions, bonuses, vacation pay, improper deductions from pay, rest and meal period violations, subminimum wage infractions, tip and gratuity disputes, and incomplete recordkeeping. The Division attempts to mediate these employer and employee wage disputes through letters, e-mails, calls, and other methods as appropriate.

*Evaluation of Prior Year Performance:* A new Wage Order and State Minimum Wage were successfully issued and implemented on schedule in January of 2013. New Advisory Bulletins were issued on their target date (and subsequent improvements have also occurred). Accompanying fact sheets, guides to the law, and staff training documents were all updated and disseminated in a timely fashion. The Division's 5,348 new claims in FY 11-12 were slightly higher than the 5,260 new claims received in FY 12-13. The lower amount of new claims may be due to deteriorating economic conditions and a significant number of failed/bankrupt businesses which lead to workers' choosing not to file. The Division also issued Rules implementing three new laws; HB14-1046 the ban on Employer Access to Personal Social Media law, SB14-18 the Employment Opportunity Act which prevents employers from using credit information in employment decisions for certain employees and job applicants and HB14-1292 the Keep Jobs in Colorado Act which requires that Colorado labor be employed to perform at least 80% of the work on a public works.

## **Division of Oil and Public Safety**

The mission of the Division of Oil and Public Safety (OPS) is to protect the public and our environment by ensuring the safe storage and use of fuel products and explosives, and the safe operation of amusement rides, boilers and conveyances.

### *Scope:*

Support our customers through education, outreach and enforcement in maintaining compliance with Storage Tank Regulations. Limitations include financial and educational. We are governed through the Environmental Protection Agency (EPA) and the Colorado Revised Statutes.

### *Customers:*

The cornerstone of OPS's success and ability to get things done, and the one thing that separates OPS from other regulatory agencies are the great relationships we have with our partners and stakeholders. These include storage tank owners and/or operators and certified above-ground and below-ground tank operators. Our stakeholders include contractors, fuel suppliers, and fuel consumers. The trust and confidence that our partners and stakeholders have in us, that is evidenced by them not just supporting but championing our initiatives, comes from our continuous engagement with them. Property owners and the general public are beneficiaries of our program.

### *Inputs:*

- Inspection Team FTE
- Record Review Team FTE
- Enforcement Team FTE
- Federal Environmental Protection Agency(EPA) Grants
- Petroleum Storage Tank Fund Cash Flow
- Workload fulfillment of regulatory obligation by tank owners and/or operators
- Workload by facility inspections by Division Staff

### *Process:*

- Conduct routine compliance inspections at regulated facilities biennially.
- Conduct petroleum release detection records reviews annually
- Identify violations and notify tank owner / operator.
- Follow up with enforcement actions if violations are not corrected

### *Measure:*

Significant Operational Compliance (SOC) is a standard national measure meant to identify violations critical to preventing petroleum releases. As of 4/1/14, our SOC measurement was 84.1% at federally regulated fuel storage locations.

### *Outputs:*

- Number of oil and public safety inspection conducted
- Number of oil and public safety record reviews conducted

- Number of enforcement actions taken
- Operational compliance measurements

<b>Performance Measure</b>	<b>Outcome</b>	<b>FY 2012-13</b>	<b>FY 2013-14</b>	<b>FY 2015-16</b>	<b>FY 2017-18</b>
Significant Operational Compliance	Benchmark	new	85%	86%	87%
	Actual	new			



## Division of Workers' Compensation

The Division of Worker's Compensation's (DOWC) mission is to assure the quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, without the necessity of litigation.

*Objective:*

Reduce costs associated with workplace accidents for employers participating in the Premium Cost Containment program (PCC).

*Process:*

1. Promote employer participation in the Premium Cost Containment Program through educational outreach and individualized technical assistance.
2. Evaluate applications for new certification and audit existing certified employers through file review, accident investigation, and site visits/inspections for compliance with program requirements.
3. Advise board in their decision to approve, continue, deny, or revoke certification of employers in the program.

*Measure:*

Reduce costs associated with workplace accidents for employers participating in the Premium Cost Containment Program (PCC) by three percent annually. Benchmark represents 3% increase in cost reduction over prior year.

*Outputs:*

1. Educational outreach events to promote program participation to employers.
2. Accident investigations of new applicant and currently certified employers.
3. Site visits/inspections of new applicant and currently certified employers.
4. Review of new, and renewal applications for certification in the program.
5. Staff support and advice to the Cost Containment board.

Performance Measure	Outcome	FY 2013 Actual		FY 2014 Actual		FY 2015 Estimate		FY 2018 Estimate	
		reduction	reduction	reduction	change	reduction	change	reduction	change
Reduce costs associated with workplace accidents for employers participating in the Premium Cost Containment program (PCC) by 3%.*	Benchmark	\$17.4M	\$17.4M	\$17.9M	3.0%	\$18.4M	3.0%	\$19.9M	3.0%
	Actual	\$22.5M	\$22.5M	\$TBD	TBD%				

\*This is measured in reduced costs in the latest year as compared to the previous year. PCC accident cost reduction.

*Strategies:*

- Involve more employers in the Premium Cost Containment (PCC) program by:
  - ✓ Actively participating at events frequented by targeted employers to leverage opportunities for education.
  - ✓ Working closely with workers' compensation insurers and brokers to promote the effectiveness of the PCC program so that they will in turn encourage policyholder participation.

*Context:*

The DOWC exists to administer the workers' compensation system in a manner that assures the quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, without the necessity of litigation. The customers we serve expect us to accomplish this mission as effectively and efficiently as possible. The division therefore believes that this expectation is best met through active communication and engagement with our customers on a regular basis.

*Evaluation of Prior Year Performance:*

The increase of (33%) in reductions over the previous year is believed to be due in part to the board actively monitoring new and existing employers certified in the program. The board consistently emphasized the importance of a working return-to-work/modified duty program. The board also put a strong emphasis on employers to implement root cause analysis in every accident investigation. Many employers in the program were able to aggressively offer return-to-work/modified duty positions to their injured workers. Such efforts are a critical aspect of workers' compensation cost control.

*Key Workload Indicators:*

Key workload indicators include the total number of employers certified each month and year, number of educational outreach events for the purpose of increasing participation in the program, and number of employer site visits for the purpose of verifying program effectiveness.

<b>Premium Cost Containment Program</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>
<b>Educational Outreach Events</b>	13	7	16
<b>Employer Program Audits and On-Site Visits</b>	8	23	17
<b>Certified Employers Reviewed</b>	1,698	1,700	1,765