

Oklahoma Department of Labor (405)

Lead Administrator: Commissioner Leslie Osborn

FY'19 Projected Division/Program Funding By Source						
Dept	Appropriations	Federal	Revolving	Local	Other*	Total
Administration	\$722,998	\$215,961	\$1,439		\$60,886	\$1,001,284
Communications	\$64,732	\$19,335	\$4,728			\$88,795
Asbestos Abatement	\$106,838	\$200,000	\$75		\$56,704	\$363,617
OSHA		\$964,149	\$1,225		\$152,503	\$1,117,877
PEOSH			\$575		\$455,429	\$456,004
Child Labor	\$70,254		\$150		\$5,773	\$76,177
Statistics & Research	\$45,006	\$37,490			\$4,933	\$87,429
Employment Standards	\$359,446		\$38,404			\$397,850
Legal Services	\$180,755	\$50,255	\$14,603			\$245,613
Alarm & Locksmith			\$490,348			\$490,348
Elevators			\$581,054		\$75,894	\$656,948
Amusement Rides			\$578,143		\$86,238	\$664,381
Boilers, PV's & HWH's	\$1,739		\$681,106		\$73,713	\$756,557
Welders Act					\$8,622	\$8,622
Alternative Fuels			\$424,045			\$424,045
Licensing	\$633,782		\$32,989			\$666,771
ISD	\$120,183		\$419,440		\$349,306	\$888,929
Total	\$2,305,733	\$1,487,190	\$3,268,324	\$0	\$1,330,000	\$8,391,247

*Source of "Other" and % of "Other" total for each.

Special Occupational Health and Safety Fund - Dedicated fund that is certified at the Board of Equalization

FY'18 Carryover and Refund by Funding Source						
	Appropriations	Federal	Revolving	Local	Other*	Total
FY'18 Carryover	\$704,818					

*Source of "Other" and % of "Other" total for each.

*Appropriated carryover

What Changes did the Agency Make between FY'18 and FY'19?

1.) Are there any services no longer provided because of budget cuts?

All agency services continue with same FTE levels.

2.) What services are provided at a higher cost to the user?

Fees increased based on discussions with industry and staff. After formal rulemaking followed over 18 months of review.

3.) What services are still provided but with a slower response rate?

ODOL continues to prioritize complaints, accidents & initial inspections to ensure they are met in a timely manner. Backlog continues to increase.

4.) Did the agency provide any pay raises that were not legislatively/statutorily required?

ODOL provided pay raises through addressing career projection for all staff.

FY'20 Requested Division/Program Funding By Source						
	Appropriations	Federal	Revolving	Other	Total	% Change
Administration	\$785,110	\$215,961	\$1,439	\$60,886	\$1,063,396	6.20%
Communications	\$71,633	\$19,335	\$4,728		\$95,696	7.77%
Asbestos Abatement	\$131,683	\$200,000	\$75	\$56,704	\$388,462	6.83%
OSHA	\$81,090	\$964,149	\$19,125	\$128,061	\$1,192,425	6.67%
PEOSH	\$36,232		\$54,274	\$382,101	\$472,607	3.64%
Child Labor	\$77,155		\$150	\$5,773	\$83,078	9.06%
Statistics & Research	\$53,288	\$37,490		\$4,933	\$95,711	9.47%
Employment Standards	\$392,572		\$38,404		\$430,976	8.33%
Legal Services	\$195,938	\$50,255	\$14,603		\$260,796	6.18%
Alarm & Locksmith			\$504,698		\$504,698	2.93%
Elevators	\$53,830		\$590,004	\$63,673	\$707,507	7.70%
Amusement Rides	\$53,830		\$588,087	\$72,657	\$714,574	7.55%
Boilers, PV's & HWH's	\$55,569		\$690,056	\$61,491	\$807,116	6.68%
Welders Act				\$8,623	\$8,623	0.01%
Alternative Fuels	\$63,838		\$431,045		\$494,883	16.71%
Licensing	\$633,782		\$32,989		\$666,771	0.00%
ISD	\$120,183		\$434,440	\$349,305	\$903,928	1.69%
Total	\$2,805,733	\$1,487,190	\$3,404,117	\$1,194,207	\$8,891,247	5.96%

*Source of "Other" and % of "Other" total for each.

Special Occupational Health and Safety Fund - Dedicated fund that is certified at the Board of Equalization

FY'20 Top Five Appropriation Funding Requests

Request 1: Replace the reduction in funding to the 54X, Special Occupational Health and Safety (OHSA) fund.	\$500,000
Total Increase above FY-20 Request	\$ 500,000

Does the agency have any costs associated with the Pathfinder retirement system and federal employees?

Estimate the cost with the Pathfinder retirement system of 4 Federal Employees in FY'20-22	\$	37,290.00
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How would the agency be affected by receiving the same appropriation for FY '20 as was received in FY '19? (Flat/ 0% change)

All agency services would continue with emphasis focused on prioritization of complaints, accidents and initial inspections.

How would the agency handle a 2% appropriation reduction in FY '20?

Resources would be allocated based on a tier-level approach to meet the agency mission to protect and promote the safety and health of Oklahomans. The focus of resources would be on complaint and accident investigations, and then on initial inspections. The next level would be the periodic and annual inspections.

Is the agency seeking any fee increases for FY '20?

		\$ Amount
Increase 1	N/A	\$0
Increase 2	N/A	\$0
Increase 3	N/A	\$0

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?

N/A

Federal Funds

	FY 19 projected	FY 18	FY 17	FY 16	FY 15
CFDA # 17.005 Program Name: Census of Fatal Occupational Injuries Surgery Class Fund: 410 **The Federal and State Fiscal Year are not concurrent	\$40,489	\$33,322	\$30,901	\$40,498	\$31,580
CFDA # 17.504 Program Name: OSHA Consultation Program Class Fund: 410 **The Federal and State Fiscal Year are not concurrent	\$1,249,700	\$1,196,254	\$1,269,848	\$1,229,371	\$1,235,461
CFDA # 66.701 Program Name: Toxic Substance Compliance Monitoring Class Fund: 410 **The Federal and State Fiscal Year are not concurrent	\$200,000	\$176,277	\$213,223	\$255,695	\$193,273

Federal Government Impact

- 1.) How much federal money received by the agency is tied to a mandate by the Federal Government?
There are no federal funds tied to a specific mandate, however the agency receives 3 federal grants.
- 2.) Are any of those funds inadequate to pay for the federal mandate?
 N/A
- 3.) What would the consequences be of ending all of the federal funded programs for your agency?
This would result in a loss of services, including assisting Oklahoma private companies in reducing federal OSHA fines, Asbestos removal from public schools and private buildings, and the collection of workplace injury data.
- 4.) How will your agency be affected by federal budget cuts in the coming fiscal year?
ODOL would reduce services consistent with the reduction of funding.
- 5.) Has the agency requested any additional federal earmarks or increases?
 No

Division and Program Descriptions

Administrative Services	The ODOL Administration provides direct support to all divisions and efforts within the agency. This includes human resources, financial services (accounting, budgeting, purchasing, facility and contract services, records and inventory control), administrative rules and hearings, federal grant support, receptionist, mail related services, communications and executive services. The primary focus of Administration is to provide support for agency employees so that they can provide the services and inspections in a prompt, equitable and effective and effective maner. Other goals include continued oversight and analysis of all expenditures to ensure that all funds are utilized in the best interest of the citizens while providing the best service possible.
Asbestos Abatement Program:	This program is responsible for ensuring asbestos and containment is a accomplished in a safe manner in both public and private sectors. The Division licenses all asbestos workers and contractors.
Occupational Safety and Health:	The OSHA Consultation Division provides free consultation service to Oklahoma's private sector businesses. This voluntary, non-punitive and confidential program is designed to assist small high-hazard employers in preventing injuries and illnesses and to avoid costly OSHA fines.
Public Employees Occupational Safety and Health (PEOSH)	PEOSH is an educational and enforcement unit which inspects public agencies such as state, city, county, public schools and other political subdivisions of the State of Oklahoma. Consultation and assistance are provided to entities for the safety of public employees.
Child Labor Unit	The Child Labor Unit is responsible for educational outreach when it comes to child labor law, and ensuring that children are not working in hazardous environments. This unit educates the public, businesses and students about the need for workplace safety.
Statistical Research:	This program performs statistical research on occupational safety and health injuries, illness and deaths in both private and public entities. This data is used to strategically target areas where the most injuries or deaths occur.
Employment Standards Division:	This division is charged with protecting Oklahoma's workforce by receiving complaints of allegedly wrongfully withheld wages, conducting investigations and making determinations as to whether wages are owed and due.
Legal Division:	The Legal services division provides legal support and advice to the Commissioner, Administrative staff, directors and staff of each Department of Labor division. This division also provides such advice informally and through written opinion, as well as through the filing of legal pleadings in internal administrative hearings; hearings and/or investigations by other state agencies, such as Oklahoma Merit Protection Commission and Oklahoma Unemployment Security Commission; and state and federal court proceedings. The Legal services division contracts with Administrative Law Judges (ALJ or Hearing Officer) to hear and decide issues under Article II of the Administrative Procedures Act and defends the agency investigative findings and determinations at administrative dockets set for Wage & Hour and Child Labor cases.

Also assists in the creation and proper structure of statutory and regulatory changes for matters falling within the Commission of Labor constitutional and statutory authority.

Alarm and Locksmith Program:

The Oklahoma Department of Labor regulates locksmiths, closed circuit televisions, access controls, burglar alarms, fire alarms, and sprinkler and nurse calls to protect the safety and welfare of the public.

Elevator Program:

The Department of Labor, in order to protect public health and safety, has jurisdiction to ensure that elevators, escalators, moving sidewalks and similar devices are installed, maintained, and regularly inspected in compliance with recognized safety standards and codes to protect the safety of the public.

Amusement Ride Program:

Inspectors from the Oklahoma Department of Labor inspect all amusement rides at permanent amusement parks annually and all mobile amusement rides are inspected every time that they are moved. Additionally, inspectors with the Oklahoma Department of Labor perform surveillance of amusement rides during the year to ensure that the rides are being operated in accordance with state law.

Boilers, Pressure Vessels and Hot Water Heaters Program:

The Oklahoma Department of Labor has jurisdiction over high-pressure boilers, low pressure steam and hot water boilers, other pressure vessels and licensing requirements for firms engaged in the repair, service and installation of boilers and pressure vessels. All boilers are to be inspected by either the state or an authorized insurance company at least once a year for public safety.

Welder Program:

The Department of Labor certifies weld test facilities and licenses welding inspectors and welders to ensure the safety of the public.

Alternative Fuels Program:

This program provides education, training, and awareness within the State of Oklahoma to ensure public safety in the expansion of the use of alternative fuels in the transportation sector. The Department of Labor has the responsibility of ensuring the certification process shall be uniform and practical in nature and shall be sufficiently strict to test the qualifications and fitness of any applicant seeking certification to install, modify, repair or renovate equipment used in the conversion of any fossil fuel engine to an engine fueled by an alternative fuel.

Licensing Division:

Licensing is responsible for processing all licenses and certificates issued by all programs within the Department of Labor. The Licensing program receives and processes all fees received by the agency and is responsible for tracking and recording such fees, issuing receipts and depositing all incoming monies.

FY'19 Budgeted FTE						
	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
Administration	4	1	8		5	4
Communications			1		1	
Asbestos Abatement	0.6	3.6			3.6	
OSHA	1	8.6	3.15		11.75	
PEOSH	1	2.4	2.85		5.25	
Child Labor		1			1	
Statistics & Research		0.2	1		1.2	
Employment Standards	1	3	1.8		4.8	
Legal Services	1		2.2		1.2	1
Alarm & Locksmith	0.4	4.75	0.2		4.95	
Elevators	0.25	0.45	7.35		7.8	
Amusement Rides	0.25	6.35	1.45		7.8	
Boilers, PV's & HWH's	0.25	6.35	1.45		7.8	
Alternative Fuels	0.25	4.35	0.45		4.8	
Licensing	1	6.25	3		9.25	
Total	11	48.3	33.9	0	77.2	5

FTE History					
	2019 Budgeted	2018	2017	2015	2010
Administration	9	8	7	12	9
Communications	1	1	1		
Asbestos Abatement	4	4	4	6	10
OSHA	12	9	8	15	19
PEOSH	5	4	4	5	6
Child Labor	1	1	1		
Statistics & Research	1	1	1	10	5
Employment Standards	5	5	5	10	22
Legal Services	2	2	2		
Alarm & Locksmith	5	5	5	7	0
Elevators	8	8	7		
Amusement Rides	8	7	8		
Boilers, PV's & HWH's	8	7	8		
Alternative Fuels	5	4	4	4	0
Licensing	9	6	7		
Safety Standards Division				24	24
Total	82	72	71	92	95

Performance Measure Review					
	FY 18	FY 17	FY 16	FY 15	FY 14
Efficient & economical business practices					
Conduct a cost analysis on programs	60-70%	60-70%	50%	40%	30%
Improve ROI process					
Enhance current programs					
Evaluate program authority	70.0%	70.0%	50%	40%	30%
Restructure and deploy resources					
Determine relevancy					
Technology					
Integrate and improve technology					
Evaluate technology needs	20-30%	20-30%	50%		
Implement recommendations					

	FY'16-18 Avg. Revenues	FY'16-18 Avg. Expenditures	June '18 Balance
ODOL Revolving Fund (200) Fees for amusement ride, asbestos, elevators and boilers licensing and inspections.	\$1,287,408	\$872,517	@6/30/18 balance: \$1,842,029.59 Misc. Exp. after 6/30/18: \$(22,136.38) Payroll after 6/30/18: \$(28,499.73) Remaining: \$1,791,393.48
Safety Consultation & Revolving Fund (215) No longer receive money from Work. Comp.	\$108,586	\$344,347	At 6/30/18 Balance: \$131,743.60 Misc. Exp. after 6/30/18: \$(6,262.19) Remaining: \$125,481.41
Alternative Fuels Inspection Fees & Fines Revolving Fund (220) Program Fines, Forfeits and Penalties	\$1,000	\$0	\$1,000
Alternative Fuels Technician Certificate Revolving Fund (251) Certificate fees for alternative fuel technicians and installers	\$36,156	\$6,471	\$ 131,443.00
Alternative Fuels Inspection Fees and Fines Revolving Fund (252) Fees for inspection of alternative fuel fill stations and related enforcement actions.	\$72,086	\$0	\$144,172
CNG Conversion Safety & Regulation Fund (255) Percentage of tax rebate for vehicle conversions to CNG	\$657,657	\$384,319	@6/30/18 balance: \$915,818.24 Misc. Exp. after 6/30/18: \$(6,393.63) Payroll after 6/30/18: \$(6,779.33) Remaining: \$902,645.28
Alarm & Locksmith Industry Revolving Fund (280) Fees from Alarm, Locksmith, & Firesprinkler licenses	\$579,211	\$563,676	@6/30/18 balance: \$771,833.28 Misc. Exp. after 6/30/18: \$(11,329.94) Payroll after 6/30/18: \$(5,510.68) Remaining: \$754,992.66