



**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Agency Overview

Christina Stephenson, Commissioner  
Oregon Bureau of Labor and Industries  
March 8, 2023



# Agency Mission

The Bureau of Labor and Industries protects employment rights, helps employers comply with the law, advances employment opportunities, and protects access to housing and public accommodations free from discrimination for all Oregonians.



# Agency Role and Responsibility

- The Bureau of Labor and Industries (BOLI) helps deliver a highly-skilled workforce through registered apprenticeship programs and ensures that Oregon jobs are good jobs, where workers get paid what they are owed and have a discrimination-free work environment.
- BOLI also provides training and confidential assistance to Oregon employers so they have the tools they need to comply with workplace rules.
- Additionally, BOLI enforces Oregon civil rights law in public spaces and housing.

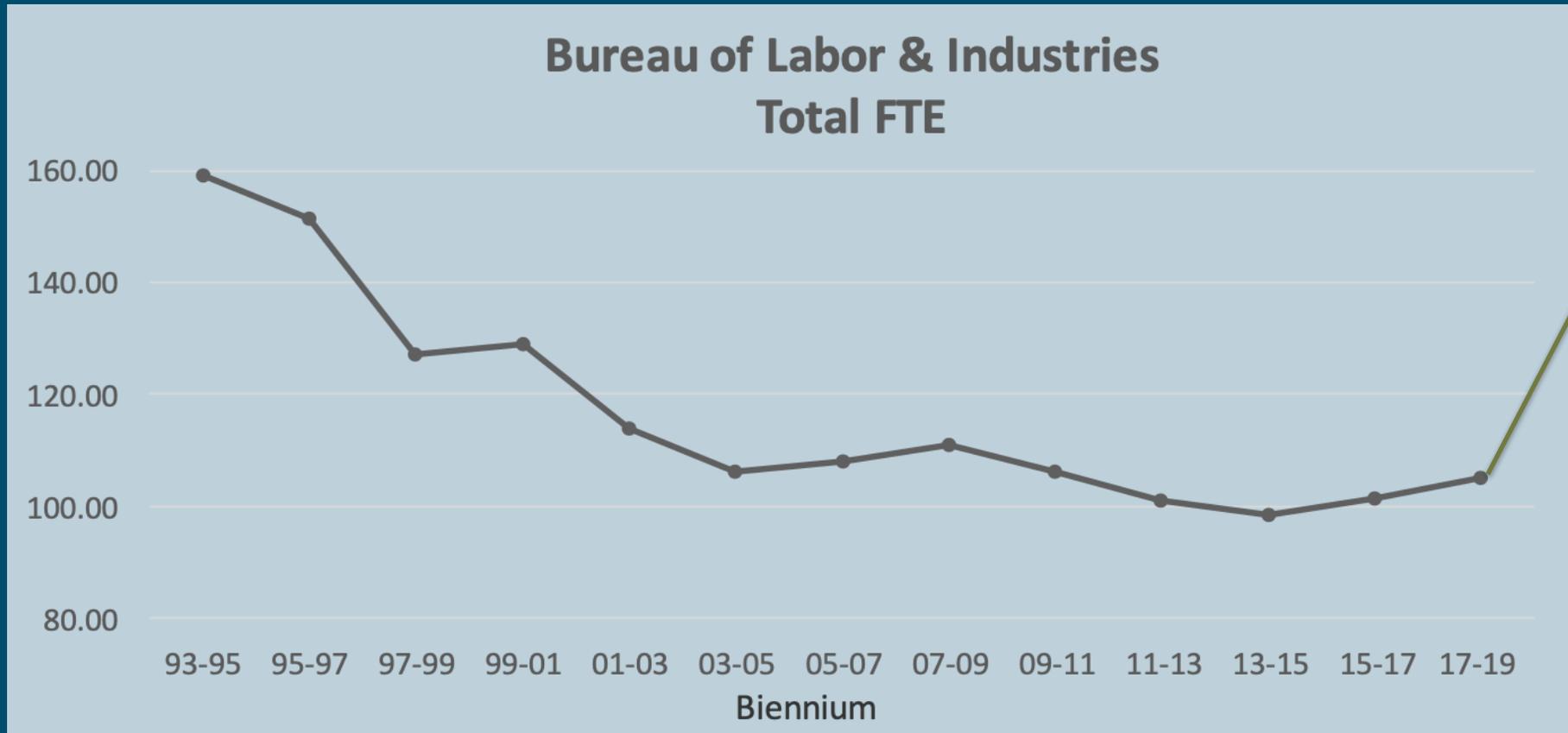


# 2023-2025 Biennia

Current Service Level	\$43,230,730
General Fund	\$24,034,529
General Fund, Non-Limited	\$938,700
Other Funds	\$16,214,579
Federal Funds	\$2,042,922



# Agency Investments Over Time





# Agency's Presence Throughout the State

## Portland

Suite 1045  
800 NE Oregon St.  
Portland, OR 97232-3601

## Salem

3865 Wolverine St NE  
BLDG E-1  
Salem, OR 97305-1268

## Eugene

Suite 200 1400  
Executive Pkwy  
Eugene, OR 97401-7103

## Ontario

375 SW 2nd Ave  
Ontario, OR 97914

## Previous Offices

Bend  
Medford  
Pendelton



# Governor's Recommended Budget

In addition to maintaining CSL, the Governor's Recommended Budget for BOLI includes:

- Permanent funding to assist business and apprenticeship programs in eastern Oregon;
- Permanent funding for our Veterans' Outreach Position;
- Funding to begin planning for a Case Management Replacement Project;
- Additional staff for human resources activities and public records requests;
- Continued funding for the Future Ready Oregon program in the amount of \$6 million;
- *Enhanced staffing in the Civil Rights Division to assist with the backlog of complaints;*
- A support position for the Fair Housing Enforcement Unit; and
- Funding for BOLI to enhance the apprenticeship partnership with ODOT.





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Major Challenges Facing Agency & Commissioner's Office Role

Jessica Giannettino Villatoro, Deputy Labor Commissioner  
Oregon Bureau of Labor and Industries  
March 8, 2023



# Major Challenges Facing the Agency

Backlog of 1300  
Civil Rights  
Claims

73% Increase in  
Wage Claims

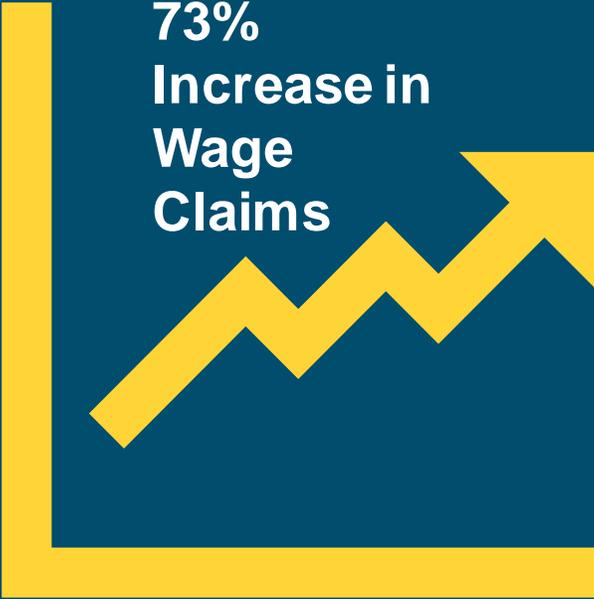
Legal Capacity

Human  
Resources

Public Records



# Claims Increase and Backlog



1,300 Backlogged Civil Rights Claims

A large blue arrow with a yellow outline points from the text box to the right.



# Liability Protection Package

- **Public Records**
  - Up to 2,000 Public Records Requests per Year with 1 FTE
  - Delay in records processing can have substantial negative impact on 90-day timeline
  - Resulted in 8 complaints filed with DOJ
- **Legal Capacity**
  - External Capacity Gap
  - Internal Capacity Gap
    - Human Resources
- **Human Resources**
  - Agency Rapid Growth
  - Backlog of ADA
  - Hiring Delays



## Solutions to Challenges Presented and Cost Associated

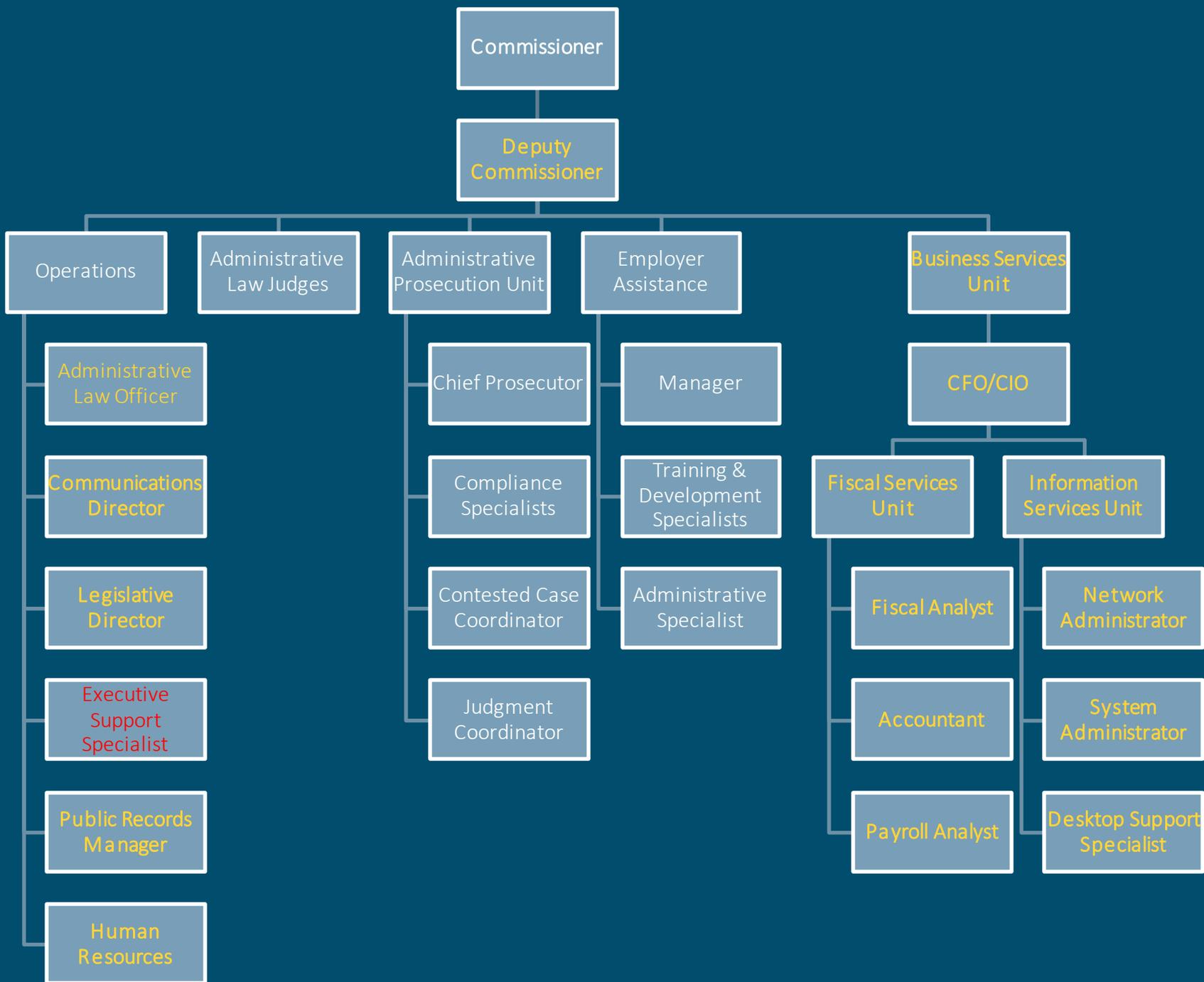
<p>\$447,018 General Fund</p>	<p><b>Two Conciliators (Mediators)</b> These positions will be dedicated to mediating the backlog of claims in the Civil Rights and Wage and Hour Divisions.</p>
<p>\$607,131 Wage Security Fund</p>	<p><b>Three Wage &amp; Hour Positions</b> These positions are critical to ensuring that those Oregonians who believe they are experiencing stolen wages or violations of meal and rest breaks can have their claims resolved in a timely manner.</p>



# Solutions to Challenges Presented and Cost Associated

\$168,142 General Fund	<b>Public Records Administrative Support</b> This position will provide support to this core governmental function, while also ensuring that litigants are provided with the information they need to access to justice.
\$420,745 General Fund	<b>Administrative Law Officer</b> This position will provide timely advice to BOLI's Office of Employer Assistance, as well as its investigators, prosecutors and administrative law judges.
\$240,217 General Fund	<b>Human Resources Staff</b> BOLI strives to be <i>the</i> model workplace and currently has only one human resources professional for nearly 140 employees.
\$703,528 General Fund	<b>Future Ready Oregon – Limited Duration</b> These three limited duration positions implement BOLI's Future Ready Oregon grant program that supports the development, expansion and implementation of registered apprenticeship and pre-apprenticeship programs.







**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

**House Committee on Ways and Means  
Apprenticeship and Training Division**



**Lisa J. Ransom, Director  
Apprenticeship and Training Division**



# Mission

To build the workforce Oregon needs by delivering highly-skilled workers through registered apprenticeships in partnerships that generate good jobs that support our communities.

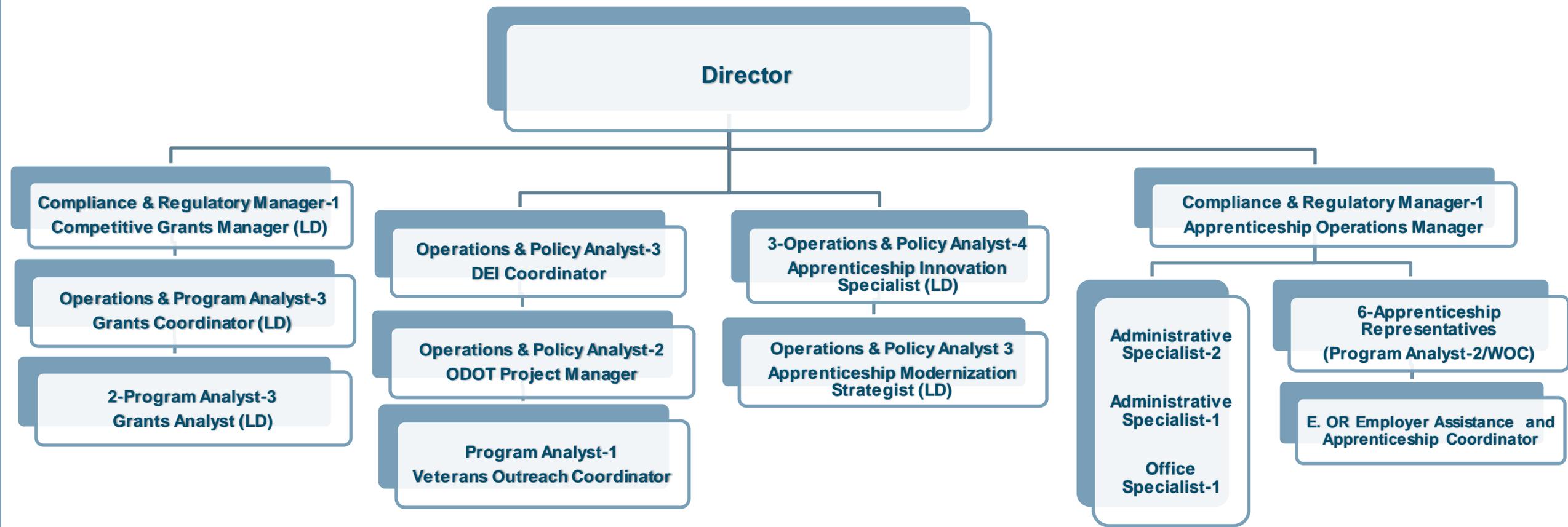


# Apprenticeship and Training Division Equity Vision Statement



The Apprenticeship and Training Division of the Bureau of Labor and Industries cultivates a system that sees and values the unique, individual lived experiences by assessing the specific cultural and community disparities, barriers, and advantages, to facilitate equitable access to career pathways that achieve a self-identified high quality of life through registered apprenticeship.





# Apprenticeship and Training Division



# ATD-Governor's Recommended Budget

- ❑ Permanent funding to assist business and apprenticeship programs in eastern Oregon;
- ❑ Permanent funding for our Veterans' Program Analyst
- ❑ Continued funding for the Future Ready Oregon program in the amount of \$6 million.

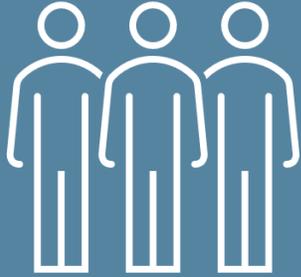


# State Approving Agency

- US Department of Labor-Office of Apprenticeship
- Oregon State Apprenticeship & Training Council (OSATC)
- Apprenticeship & Training Division of the Bureau of Labor & Industries

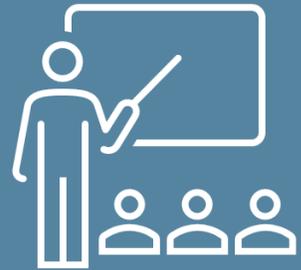


# Oregon Registered Apprenticeship



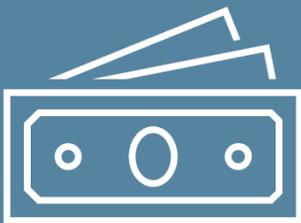
## **Paid On-the-Job-Training**

- Defined work processes
- Minimum of 2,000 hours



## **Related Training**

- Certified curriculum
- 144 hours a year



## **Progressive Wage Scale**

# Registered Apprenticeship

- Joint Apprenticeship and Training Committees
- Employer driven
- Apprenticeship standards
- Diversity



# Apprenticeship By the Numbers

**25.6%**  
**OF REGISTERED**  
**APPRENTICES**  
are from communities of color

- 155 registered apprenticeship programs
- 78 different trades
- 10,715 total apprentices registered in Oregon
  - 25.6% communities of color
  - 9.4% women
  - 6.6% veterans
- 2,514 Completions during 2022
- 5,721 employers (training agents)



# Diversity through Retention

FY Year	Total Number of Completions	Number of Women	Percentage of Women	Number from Priority Populations	Percentage from Priority Populations
2017	1380	89	6.45%	246	17.83%
2018	1594	98	6.15%	285	17.88%
2019	1858	129	6.94%	359	19.32%
2020	1578	103	6.53%	308	19.52%
2021	1594	126	6.51%	399	25.03%

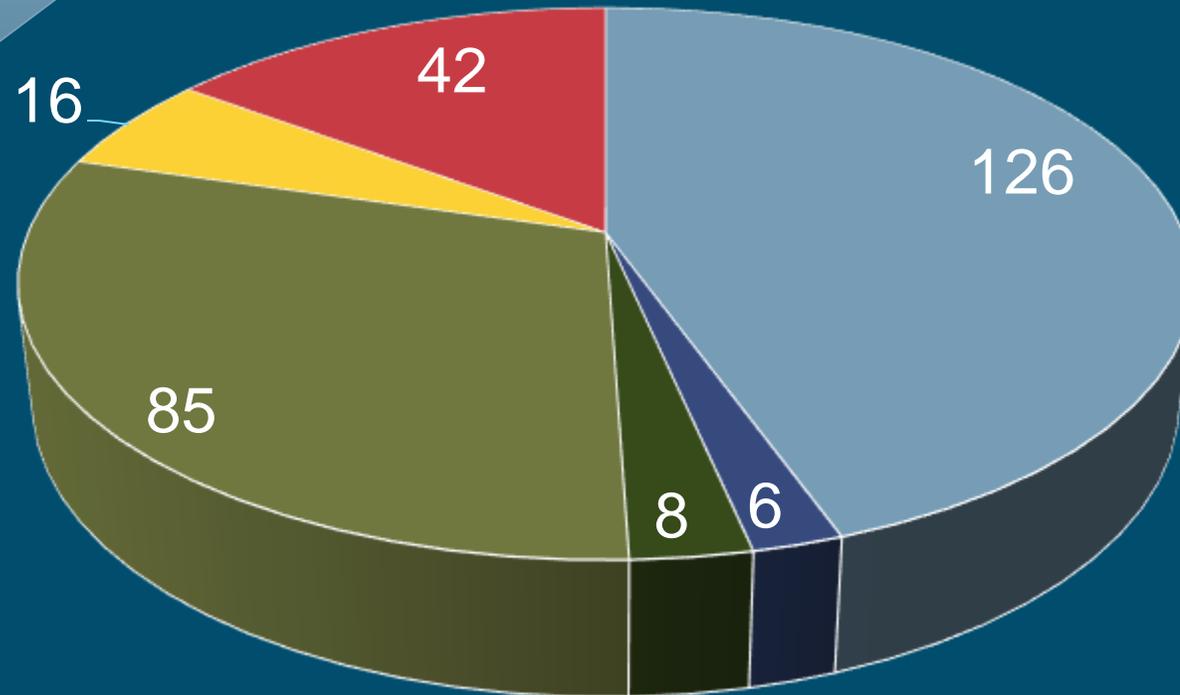


# 2020-2022 KPM

2020-2022 KPM	Goal	2020-22
Total Completions	1,200 Individuals	6,036 Individuals
Total Registrations	2,700 Individuals	10,971 Individuals
Female Registrations	8% of total registrations	11.06% of total registrations or 1,213 Individuals
Priority Populations Registrations	18.5% of total registrations	27.8% or 3,050 Individuals



# Apprenticeship occupations in Oregon

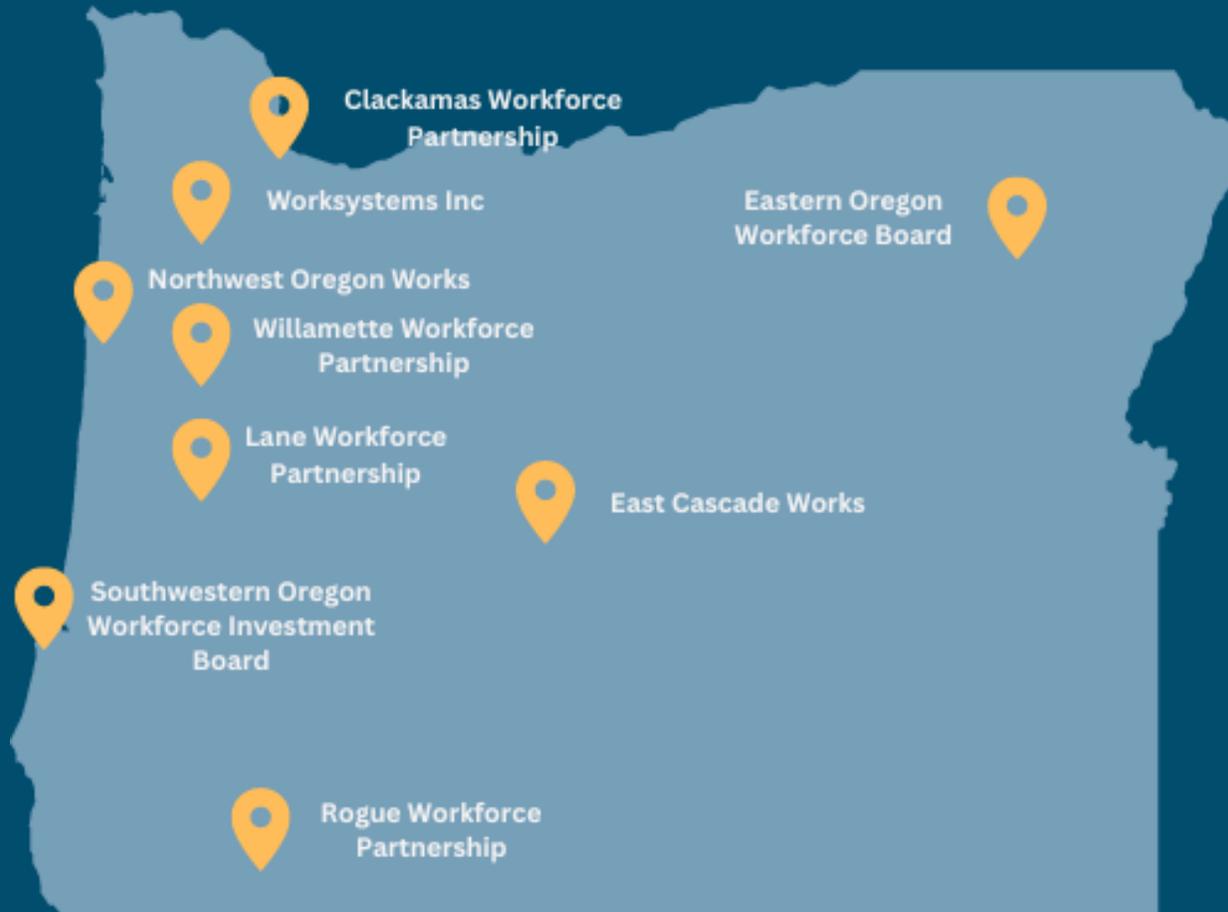


- Construction
- Health Care
- Service
- Government
- Manufacturing
- Transportation & Public Utilities



# Future Ready Oregon

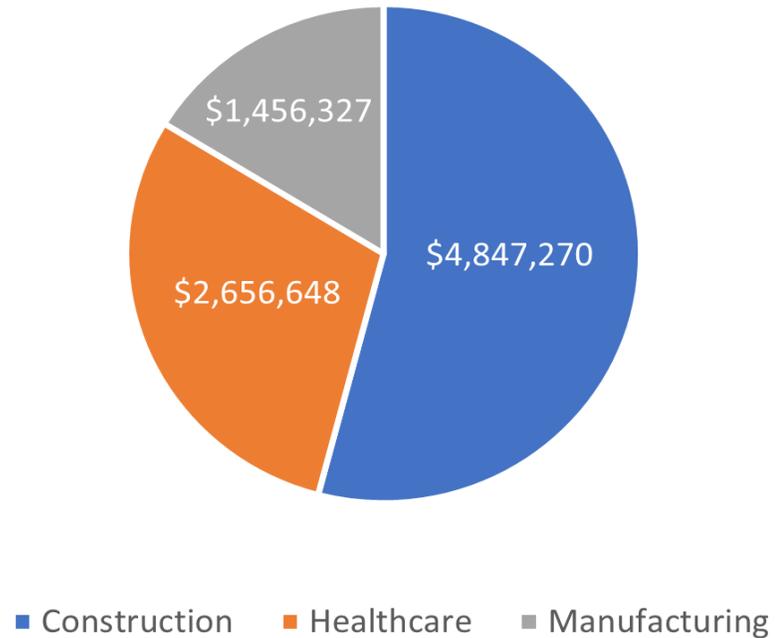
FRO Workforce Regions Represented in Round 1 and Round 2 Applications



# Future Ready Oregon

## Round 1 & Round 2 Application Data

FRO R1 & R2 Awards by Industry



# Thank you!

Lisa.RANSOM@boli.oregon.gov

971-353-7024

<https://www.oregon.gov/boli/apprenticeship>





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Civil Rights Division

Leila Wall, Administrator  
Civil Rights Division  
March 8, 2023



# Mission

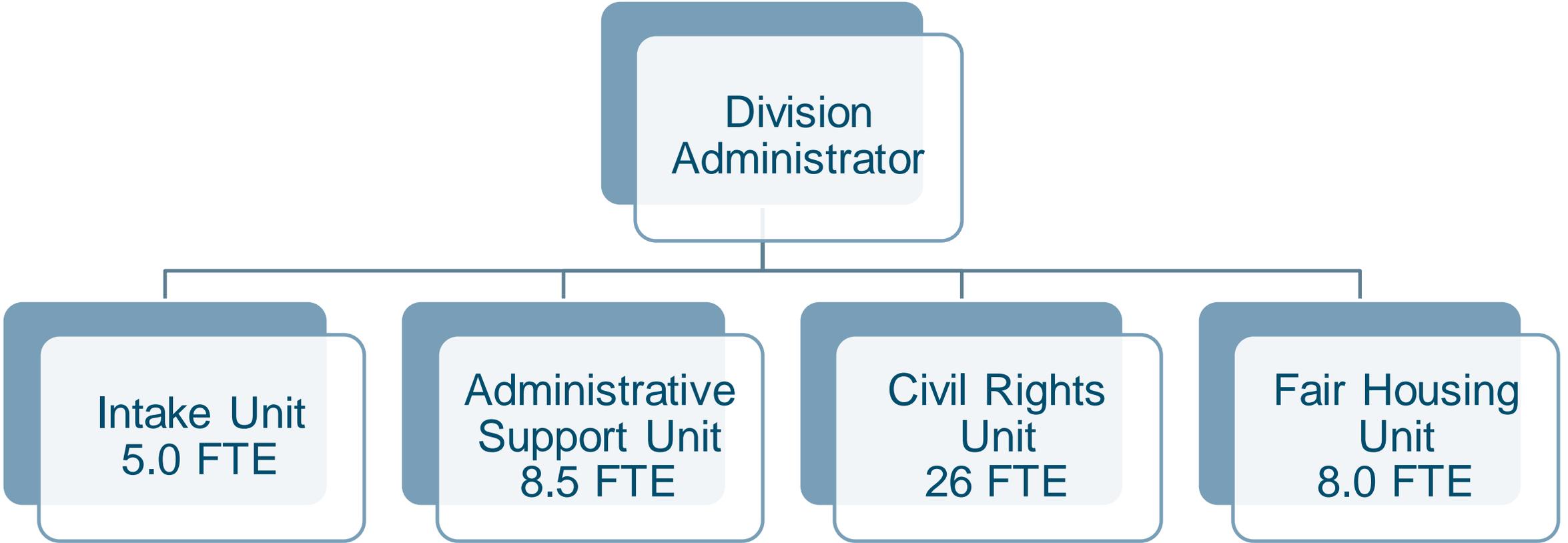
- Ensure that Oregonians can live and work free of discrimination and harassment.



# Key Functions

- Respond to approximately 44,000 phone calls and emails per year inquiring about civil rights under the laws we enforce
- Enforce state/federal civil rights laws in employment, housing, and places of public accommodation
- Proactively collaborate with Employer Assistance to ensure we are providing Oregon's employers with the best advice to comply with Oregon and federal civil rights laws
- Engage readily and often with stakeholders from the employer and worker communities





**Total: 48.5 FTE**



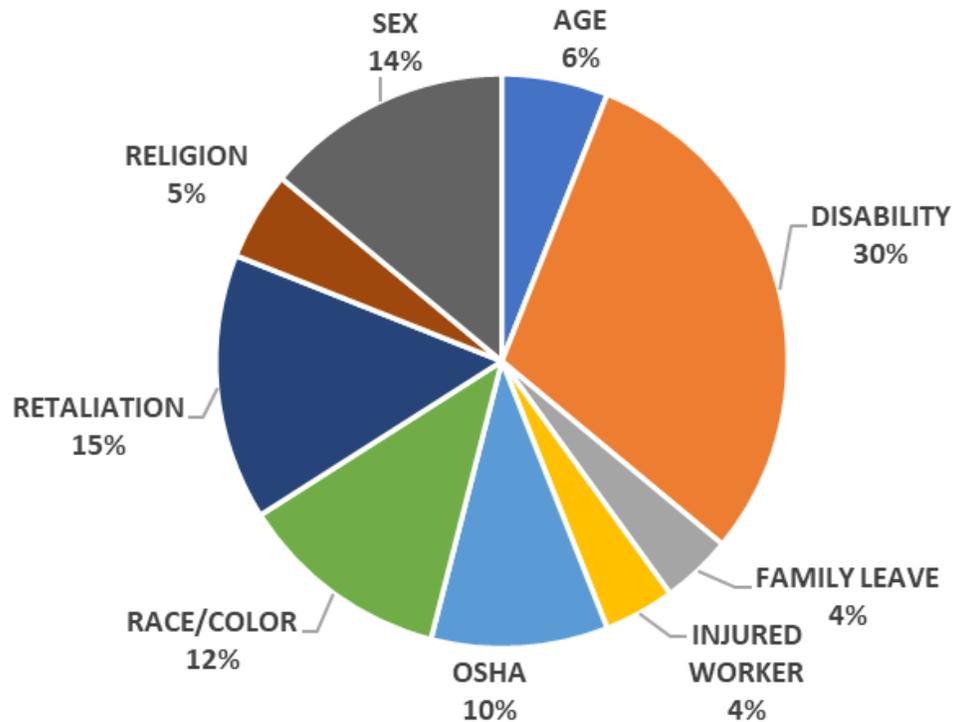
# Laws Enforced by BOLI Civil Rights Division

ORS 659A	Discrimination in employment, public accommodations, and housing
ORS 25.424	Discrimination because of child support garnishment
ORS 171.120-125	Employment discrimination relating to legislators
ORS 345.240	Discrimination by career schools
ORS 408.230 & 408.237	Employment rights of military personnel and veterans
ORS 441.178	Retaliation against nursing staff
ORS 476.576	Job restoration rights for volunteer fire-fighters
ORS 652.355 & 653.060	Discrimination because of wage claims/complaints
ORS 652.220	Pay Equity
ORS 654.062	Retaliation for workplace health/safety complaints
42 U.S.C. § 12101 et seq.	Americans with Disabilities Act and ADAAG
29 U.S.C § 621 et seq.	Age Discrimination in Employment Act
42 U.S.C. § 2000e et seq.	Title VII of the Civil Rights Act of 1964

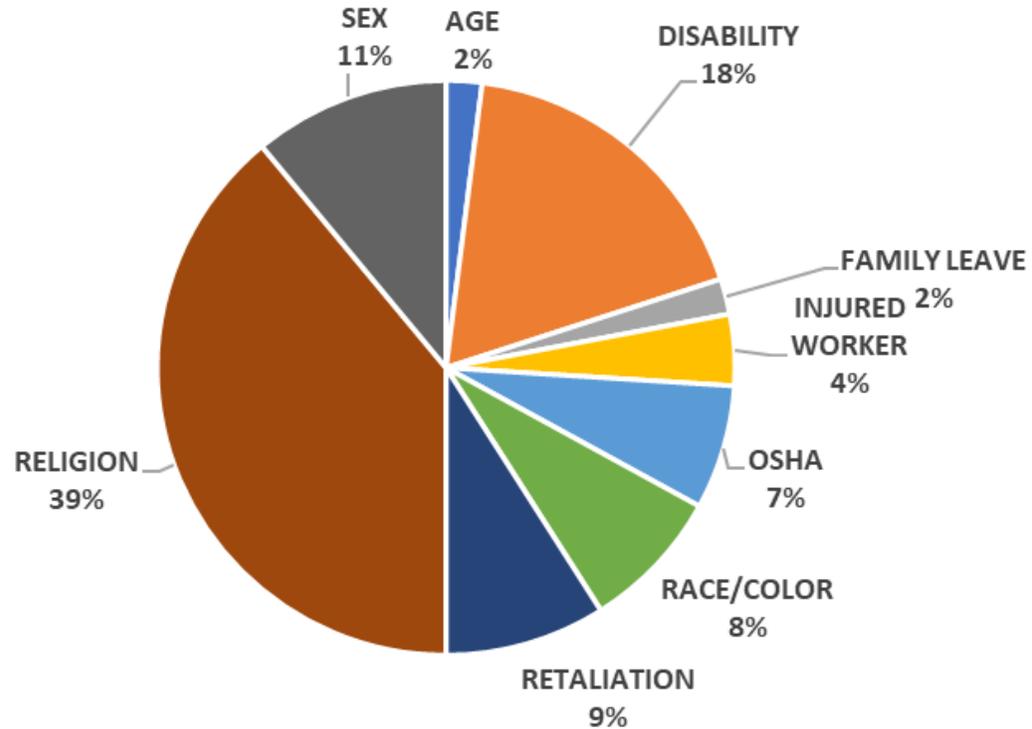


# Types of Cases Filed with CRD

FY2021-2022



FYTD2023



# Governor's Recommended Budget

- Maintains current staffing levels and provides funding for the following additional positions:
- Policy Package 130: Civil Rights Division Work Volume Increase
  - 5 FTE  2 FTE (Conciliators)
- Policy Package 131: Fair Housing Enforcement Unit Support
  - 1.00 FTE Administrative Specialist 2



# Overview of Complaint Process



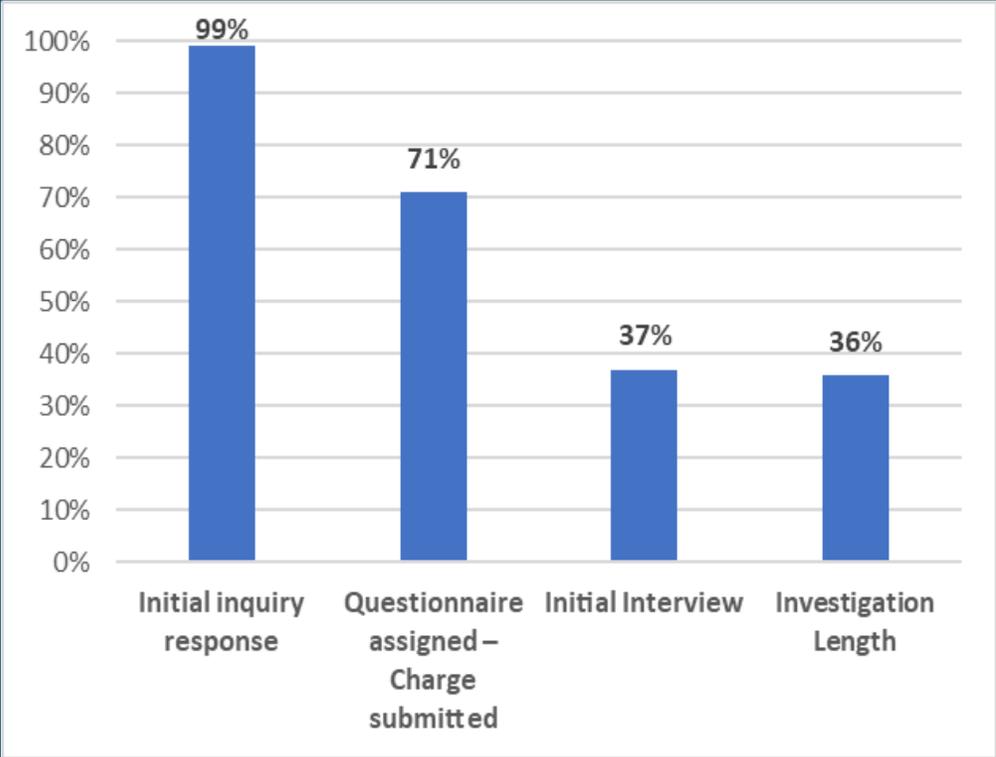
# Civil Rights Division KPMs

- 85% of....
  - Initial inquiries responded to in <2 days
  - Charges drafted within 14 days of questionnaire assigned
  - Initial interviews conducted within 45 days of case assignment
  - Investigations complete within 180 days of case opening

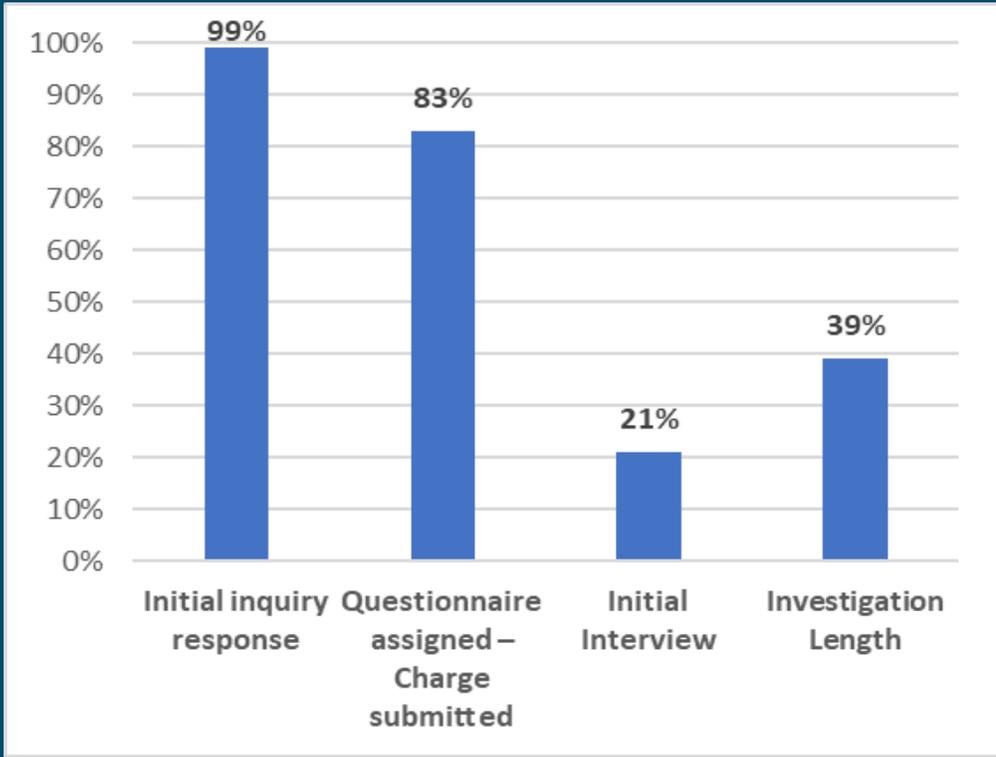


# Civil Rights Division KPM Performance

## 21-23 Biennium



## FYTD 2023



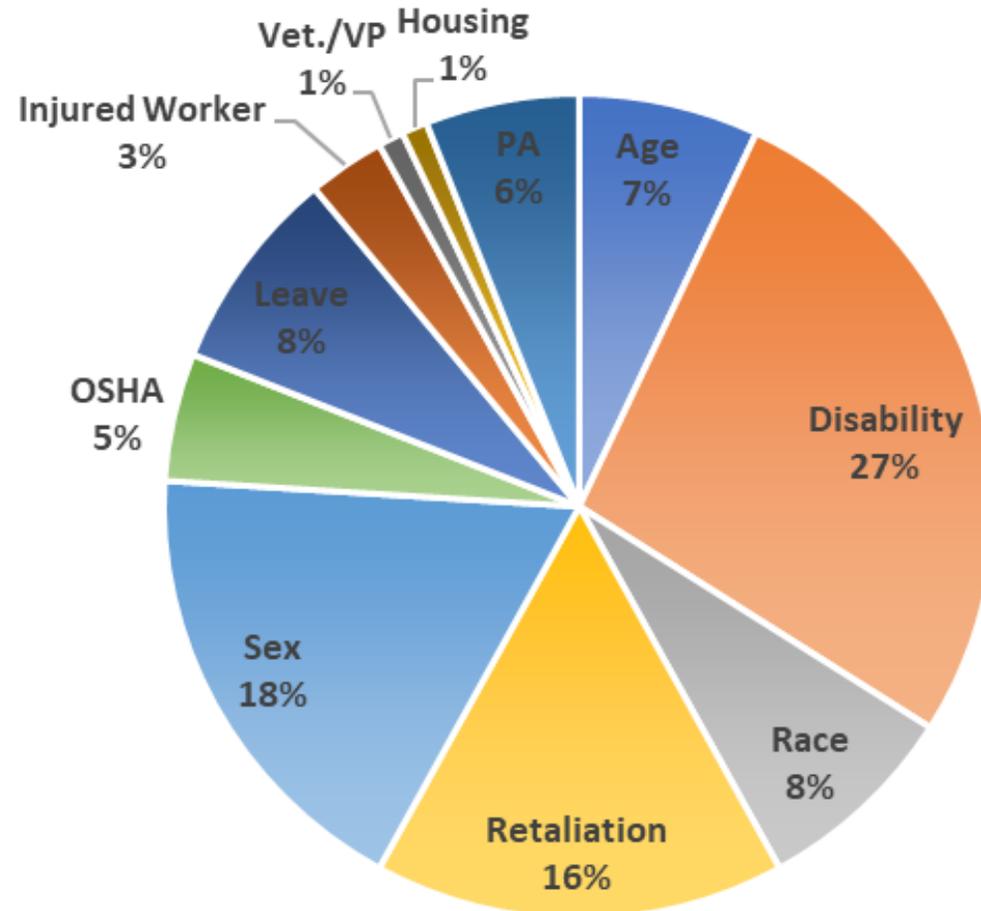
# Civil Rights Investigations

- Intake backlog: 1300 questionnaires waiting for assignment to staff for jurisdictional review and drafting complaint
  - Wait time for complaint to be drafted: ~20 weeks
  - Questionnaires received per week: 60-250
  - Questionnaires assigned per week: ~60
- Time from signed complaint received to case opened: ~1 month
- Current cases in investigation: approximately 1200
  - Average length of investigation: 232 days
  - Hours needed for full investigation per case: 40+
  - Yearly full investigation ability per investigator: 51
  - Yearly cases assigned per investigator: ~95



# CRD Cases Referred for Prosecution

229 CRD cases referred to Administrative Prosecution Unit 2021-2022



# Benefits of Conciliators/Mediators

- Increases the chances of early resolution
- More harmed Oregonians made whole
- Long delays have a deleterious effect on employers who deserve fair and speedy resolution
- Parties save extensive resources – time, money, energy, and emotion
- Allows investigators to focus on contested cases



# State/Federal Contracts

- US Equal Employment Opportunity Commission
  - 2023 contract: 750 cases
  - \$830 per case
- DCBS Interagency agreement
  - OSHA
    - \$2,000 per case
    - Average 100 cases per year
  - Workers' Compensation Division
    - \$2,000 per case
    - Average 150 cases per year
- HUD
  - TBD





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Wage and Hour Division

Laura van Enkevort, Administrator  
Wage and Hour Division  
March 8, 2023



# Mission

Ensure that workers are paid what they are owed, given the rest breaks they are entitled to and create a level playing field so that good employers aren't at a disadvantage.



# Key Functions of the Wage and Hour Division

- Protect Oregon Workers, especially those vulnerable to exploitation
- Strategic enforcement of wage and hour laws to create prosperity and opportunity for all Oregonians
- Ensure the employment of minors complies with state and federal child labor law protections to ensure the work is safe and does not jeopardize the health or well-being of Oregon youth
- Proactively encourage compliance with labor standards
- Enforce prevailing wage rates on public works contracts
- Licensing and regulating farm, forest, janitorial, and construction labor contractors



## Laws Enforced by BOLI Wage and Hour Division

ORS 652.020	Enforce maximum working hours and overtime pay in mills, factories, or manufacturing establishments
ORS 652.414	Pay qualified workers from Wage Security Fund
ORS 652.330; 653.040	Investigate wage claims
ORS 653.040; 653.077	Enforce working conditions regulations
ORS 653.307	Issue Employment Certificates and permits to employers of minors
ORS 653.403	Investigate reports of child labor law violations
ORS 653.480	Enforce predictive scheduling requirements
ORS 653.565	Proactive investigation to ensure compliance with regulations
ORS 653.651	Enforce sick time requirements
ORS 658.405 - 658.511	Licensing of labor contractors and enforcement of the Oregon Contractor Registration Act
ORS 279C.815	Publish prevailing wage rates
ORS 279C.817	Issue PWR project coverage determinations
ORS 279C.850	Investigate PWR violation allegations



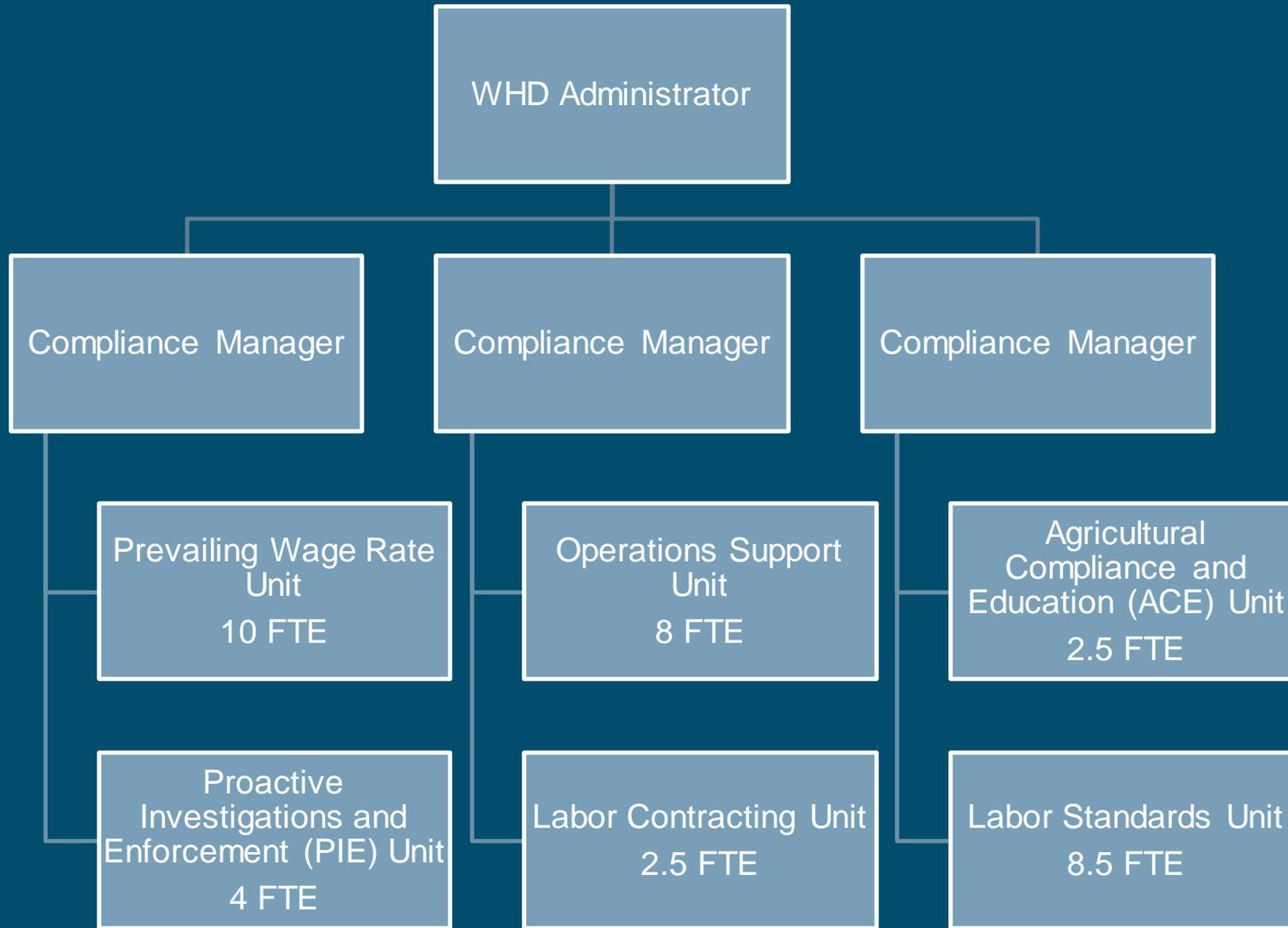
# Wage Claim Process



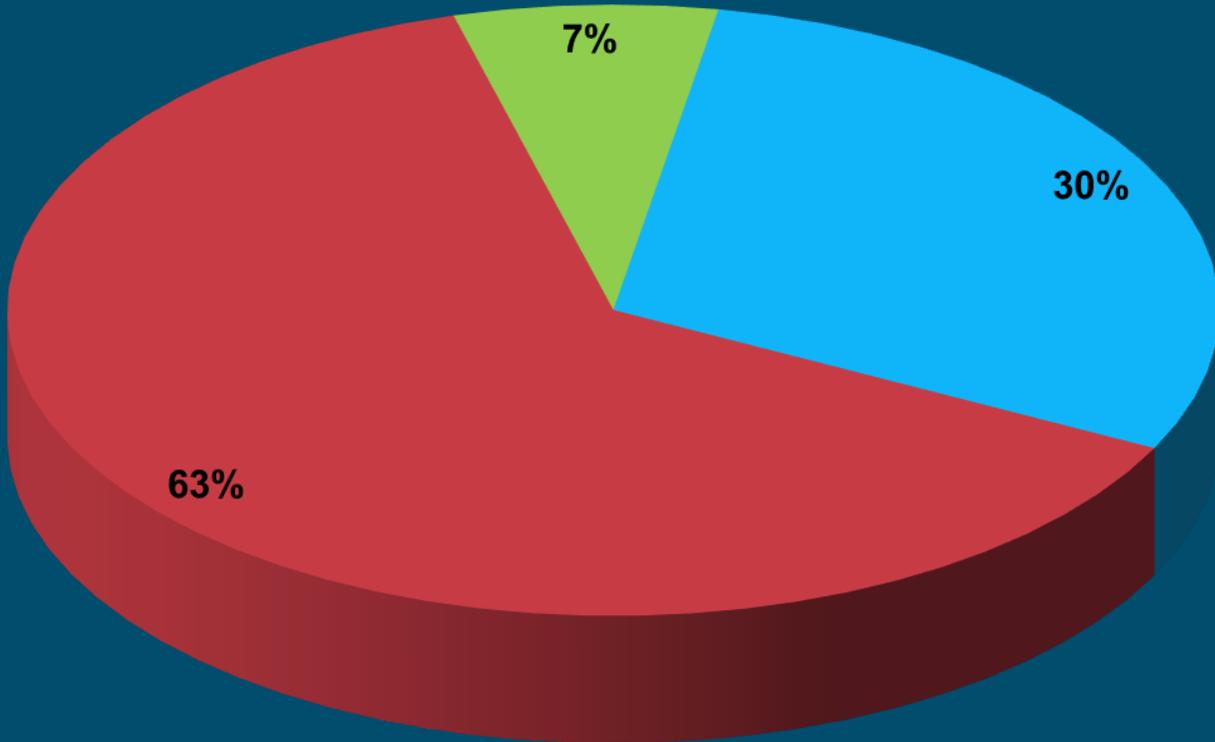
# Wage and Hour Complaint Process



# Wage and Hour Division – 39.5 FTE



# 2023 -2025 Governor's Recommended Budget

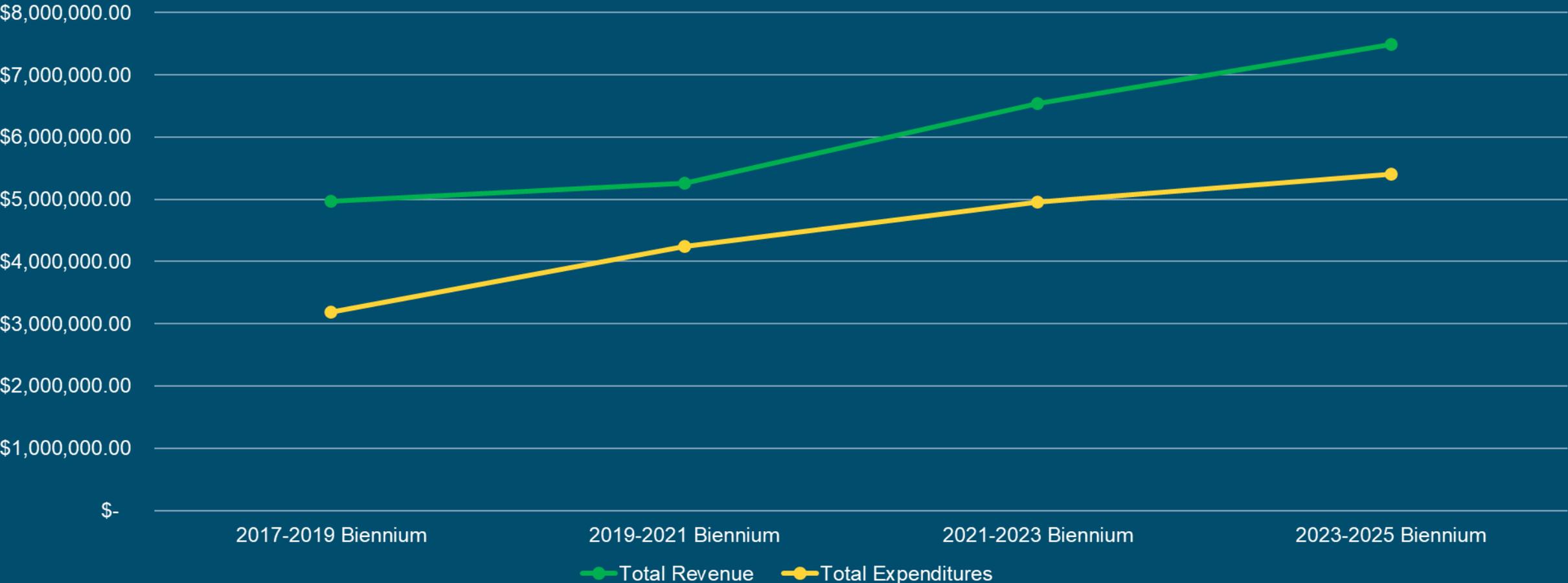


All Funds by Source: \$12,800,000

- General Fund: \$3,800,000
- Other Funds: \$8,100,000
- Other Funds Nonlimited: \$900,000



# Wage Security Fund



# Key Performance Measures

## Timeliness of Wage Security Fund Claims:

- Goal: 85% processed in less than 31 days
- Actual: 98% processed in less than 31 days

## Timeliness of PWR Predeterminations:

- Goal: 95% processed in less than 16 business days
- Actual: 89.3% processed in less than 16 business days

## Timeliness of PWR Investigations:

- Goal: 65% processed in less than 91 days
- Actual: 47.1% processed in less than 91 days

## Timeliness of Processing Wage Claims:

- Goal: 80% processed within 77 days
- Actual: 57.5% processed within 77 days



# Wage and Hour by the Numbers

**3,180**

Number of wage claims  
received last FY

73% Increase

**1,687**

Number of wage claims  
investigated/resolved  
last FY

3% Increase

**\$695,280**

Back Wages Collected

**63 Days**

Average number of days  
from claim filed to Notice  
of Claim issued

**18 Days**

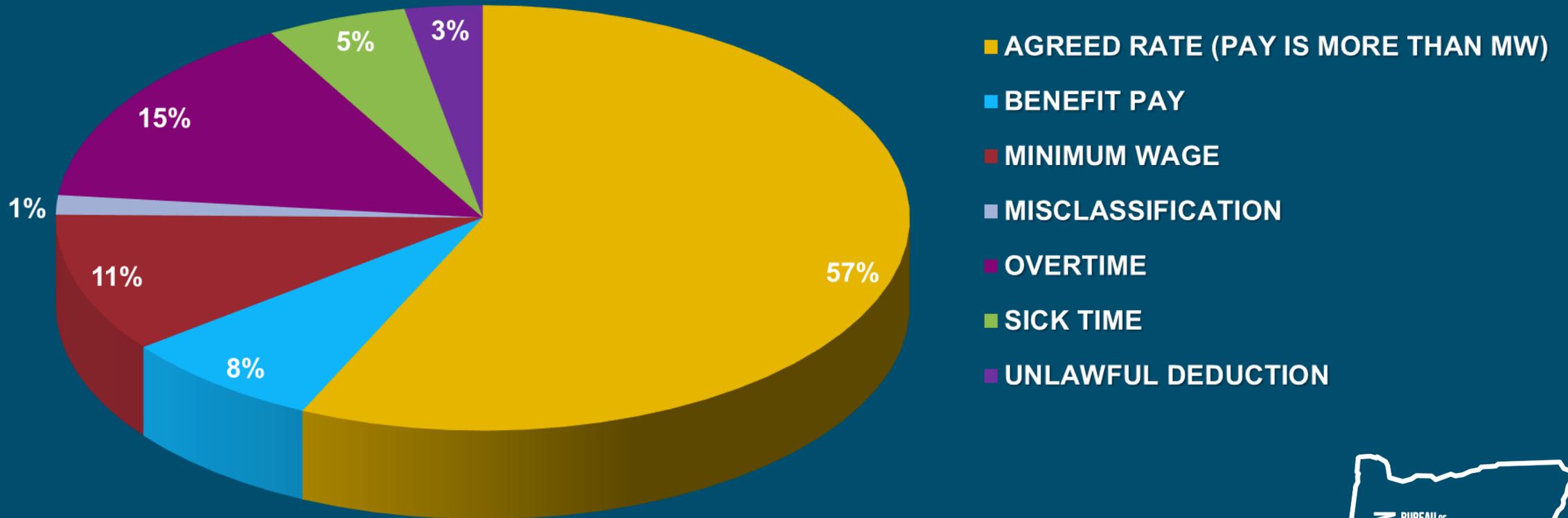
Average number of days  
from Notice of Claim  
sent to assignment to  
investigator

**101 Days**

Average length of wage  
claim investigation



# Types of Claims Filed



# Prevailing Wage by the Numbers

**146**  
Number of PWR investigations completed

**319**  
Number of Affected Workers

**\$488,020**  
Back Wages Collected

**60 Days**  
Average number of days to issue a PWR Predetermination

**369 Days**  
Average length of a PWR investigation



# Wage and Hour Conciliators/Mediators

- Final Paycheck Wage Claims
- Resolve cross-divisional companion complaints
- Impact on Staff





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Administrative Prosecution Unit & Contested Case Forum

Rachel Diamond-Cuneo, Chief Prosecutor  
Administrative Prosecution Unit, Commissioner's Office  
March 8, 2023

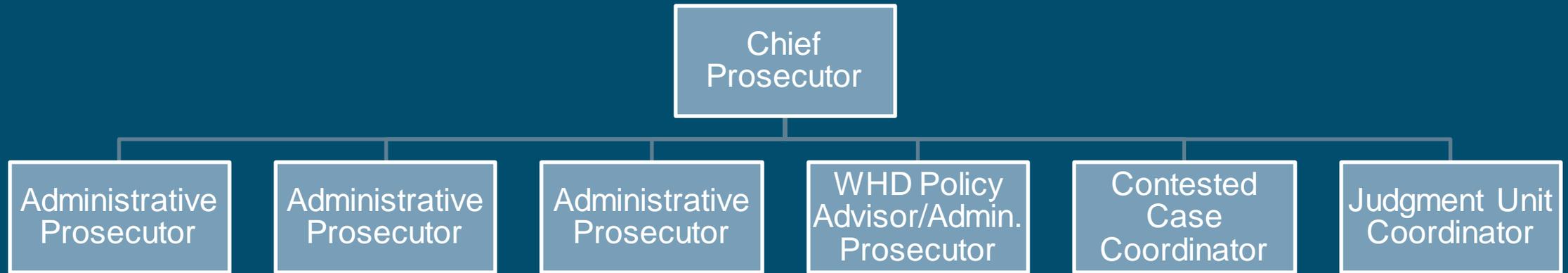


# Administrative Prosecution Unit

- Prosecute cases for the Agency
- Prosecutors present cases before BOLI Administrative Law Judges who make determinations and prepare Proposed Orders
- Collect civil penalties, liquidated damages, wages owed to workers, and damages awarded for mental and emotional distress



# Administrative Prosecution Unit



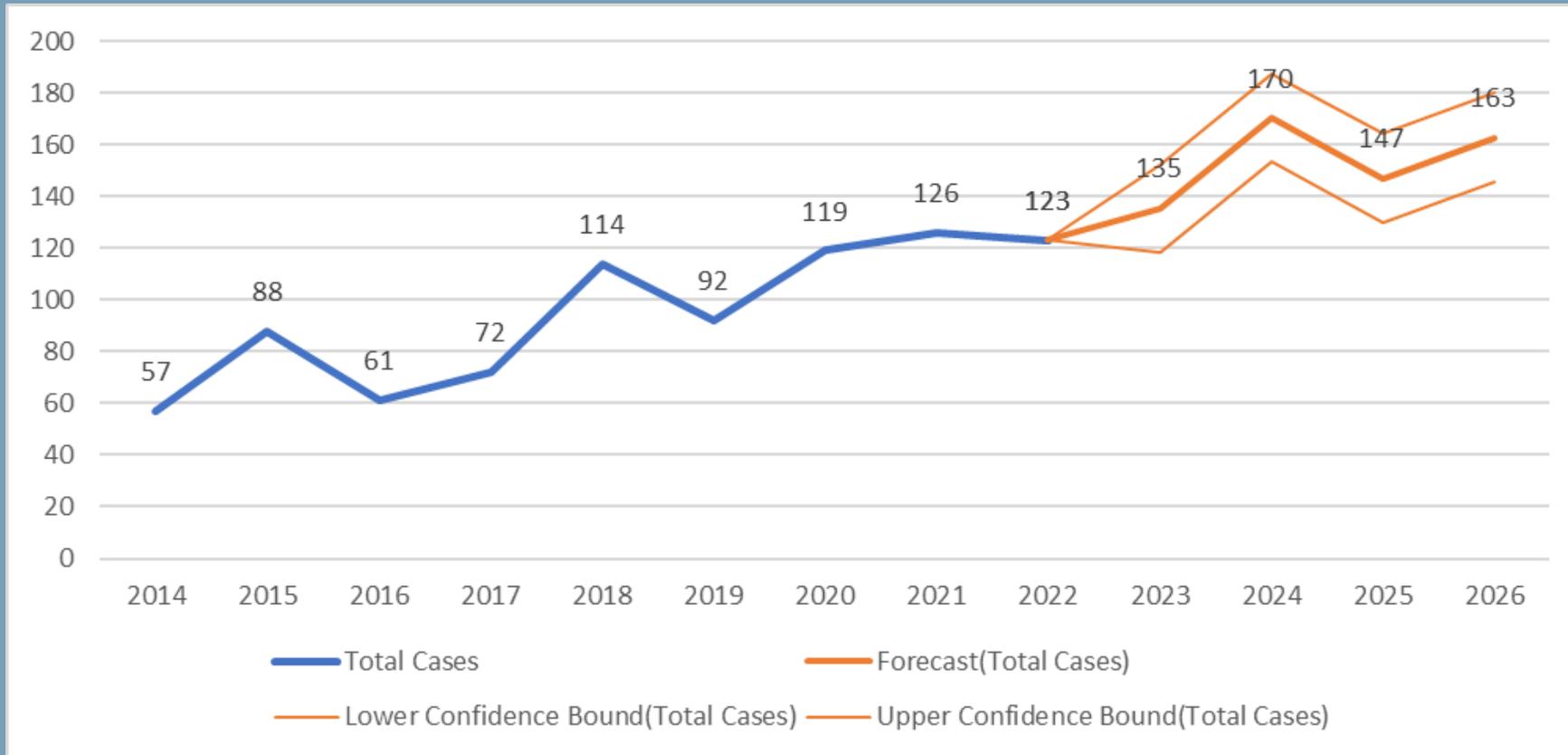
# Key Performance Measure

Key Performance Measure: at least 88% of referred cases scheduled for hearing within 30 days

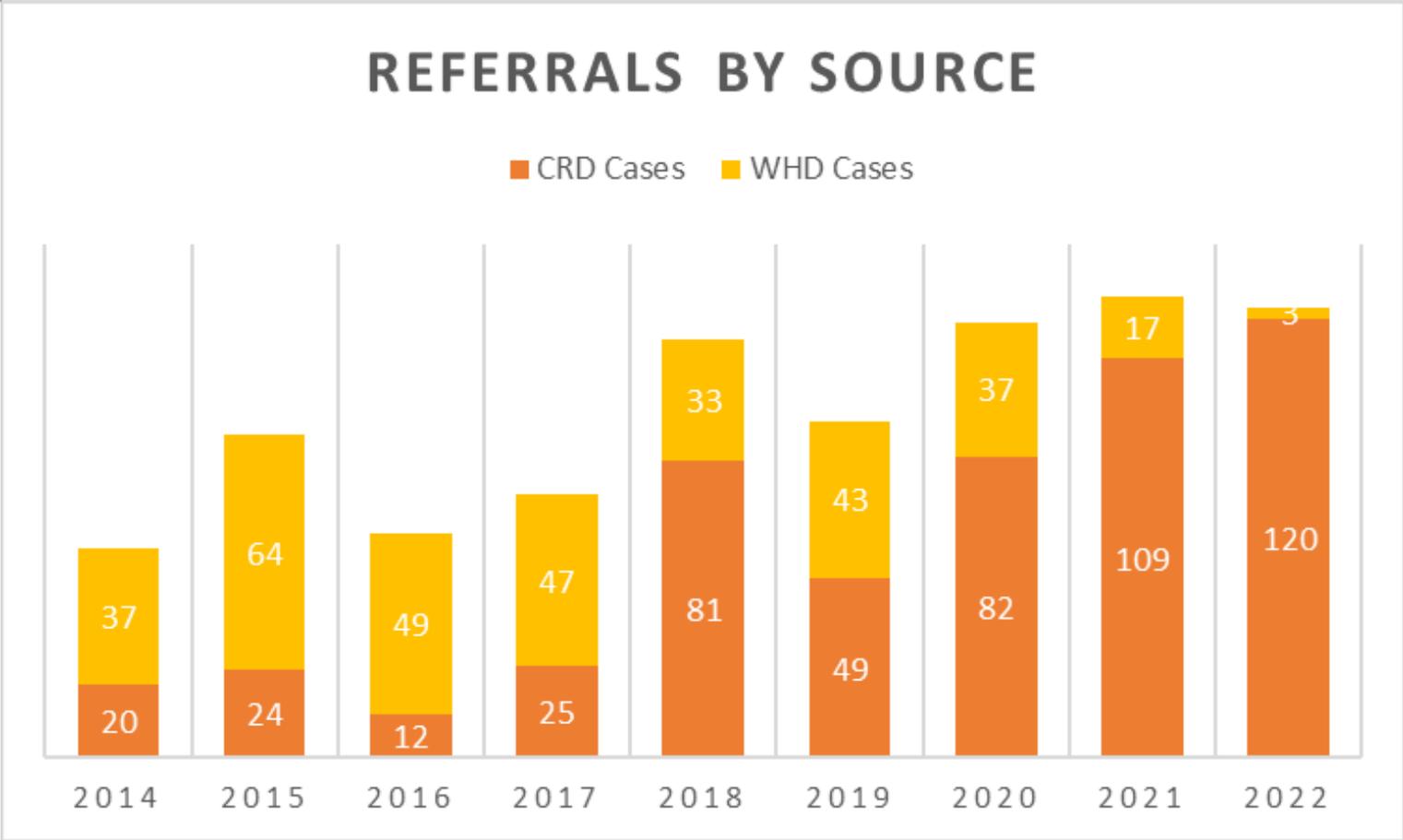
Meeting this goal 100% of the time for Fiscal Years 21-23



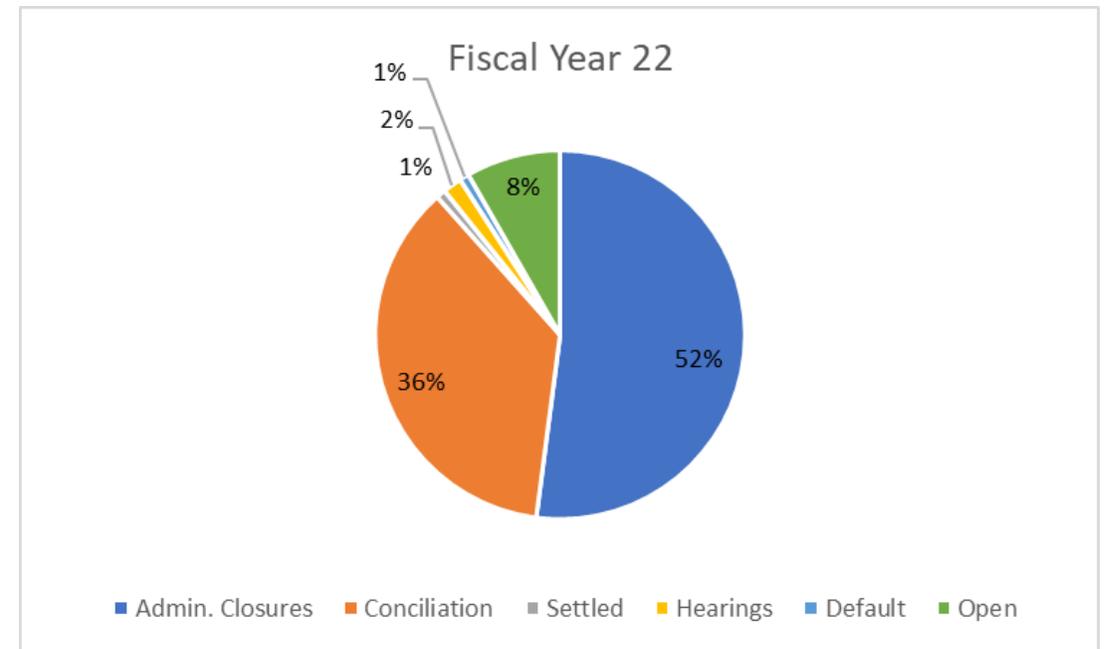
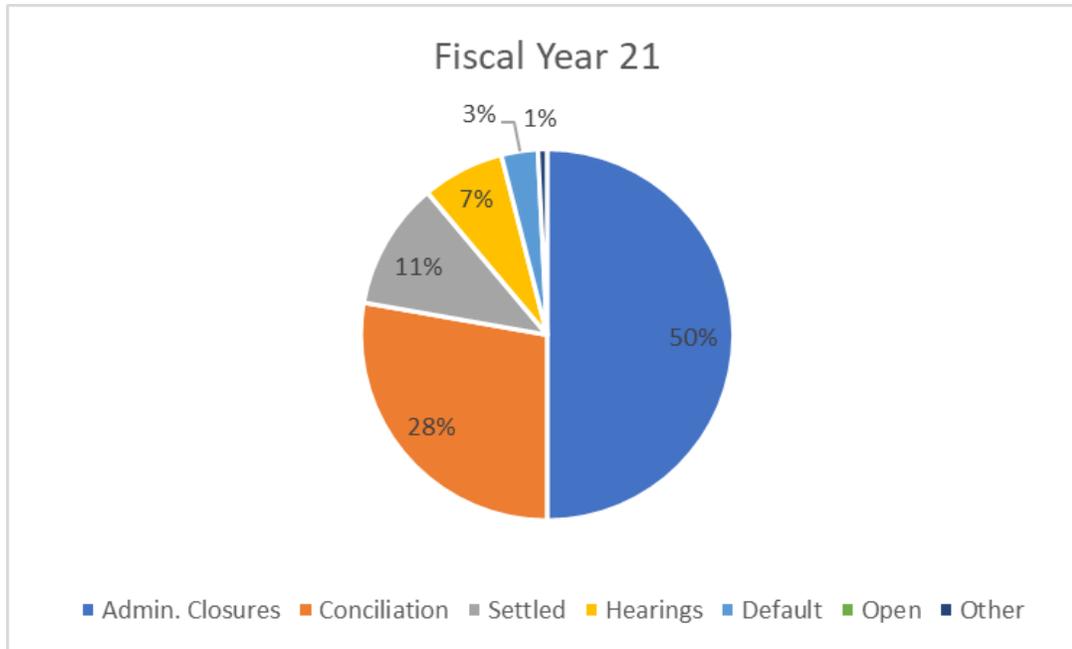
# Total Number of Cases Referred to APU



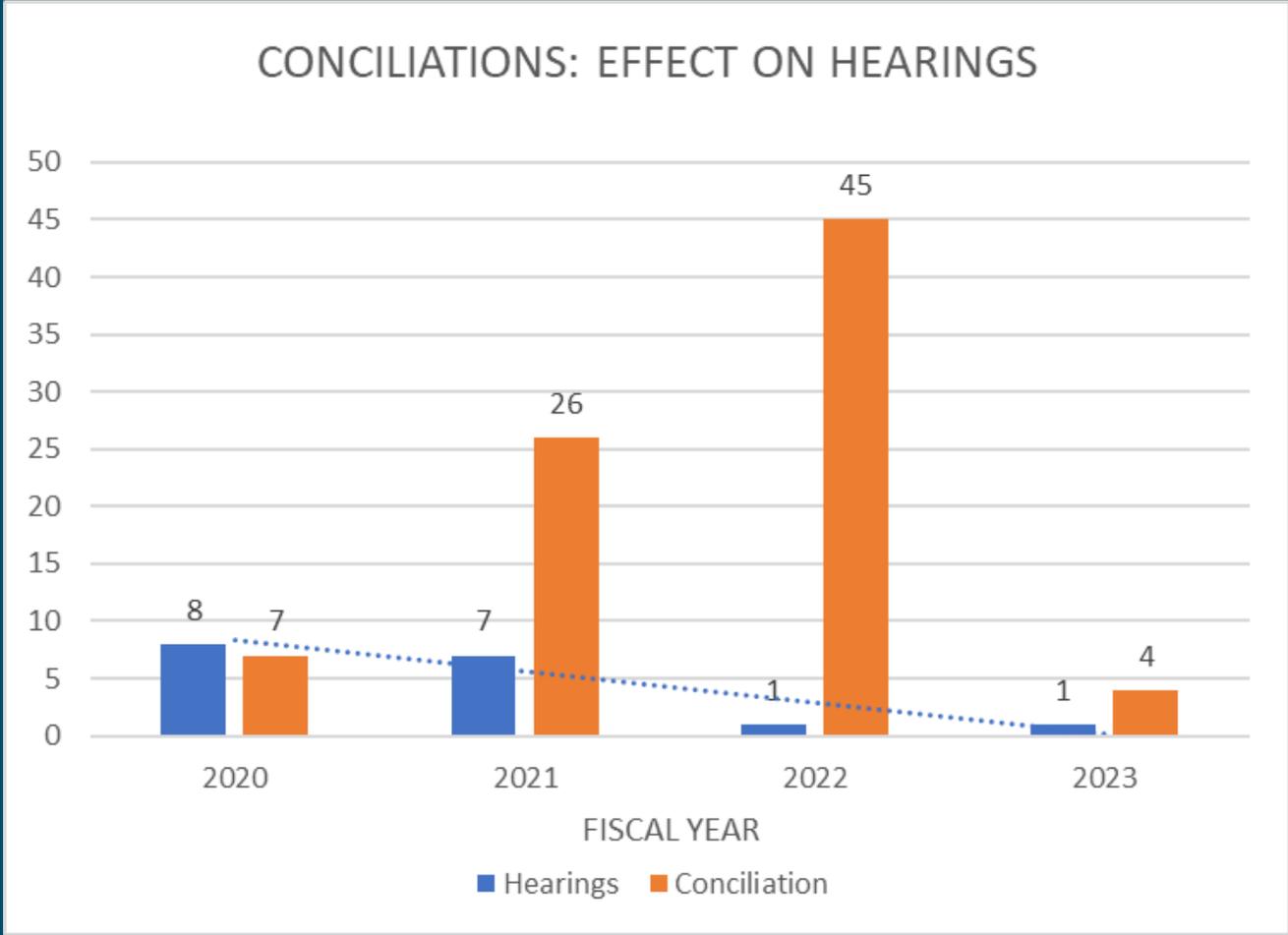
# Referred Cases by Division



# Ways APU Cases are Resolved



# Effect of Conciliation on Hearings



# Judgment Unit

- ❑ FY21: Issued 39 Orders of Determination, 39 Final Orders on Default, collected \$97,020.55 through the Department of Revenue
- ❑ FY22: Issued 22 Orders of Determination, 16 Final Orders on Default, collected \$66,057.92 through the Department of Revenue
- ❑ FY23 through Q2: 4 Orders of Determination, 4 Final Orders on Default, collected \$5,412.05 through the Department of Revenue



# Administrative Prosecution Unit

□ Questions?





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**

# Employer Assistance

---



# Resourcing Oregon Employers

Direct Contact

Publications

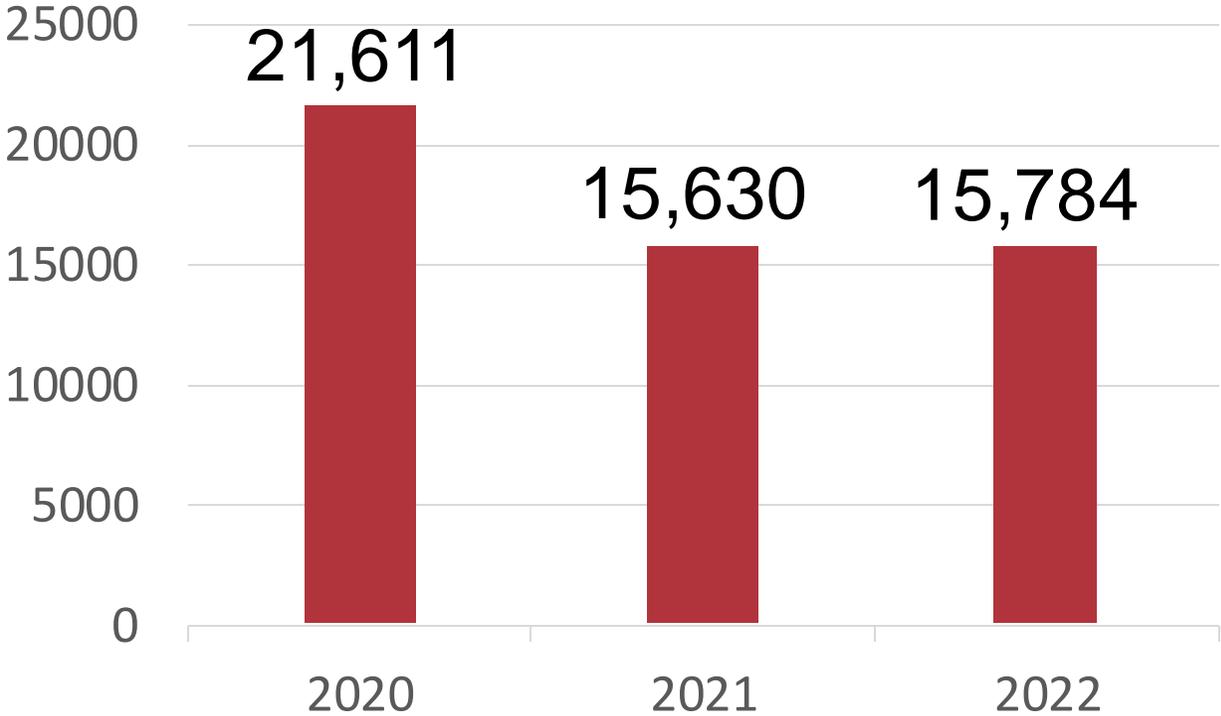
Trainings



# Direct Contact – Phone and Email



# Direct Contact – Phone and Email



# Publications



# Handbooks

- Leave Laws
- Wage and Hour Laws
- Civil Rights Laws
- Legal Hiring
- Documentation Discipline & Discharge
- Employee Classification
- Policy Writing



# Handbooks

- Transitioned to electronic format in 2022
- Facilitates updates
- Links aid navigation and provide access to statute and rule
- Reduces production footprint



# Posters

- Printables available in seven languages
- Updated each spring
- Composites for general and agricultural use



# Public Seminars & Direct to Business Trainings



# Public seminars & Direct to business trainings

- Calendar of training events
- Contracted events for direct to business training & consultation
- Annual employment law conference



# Public Seminars & Direct to Business Trainings

- Transition to a largely virtual world
- Expanded access to BOLI training statewide



# Key Performance Measures



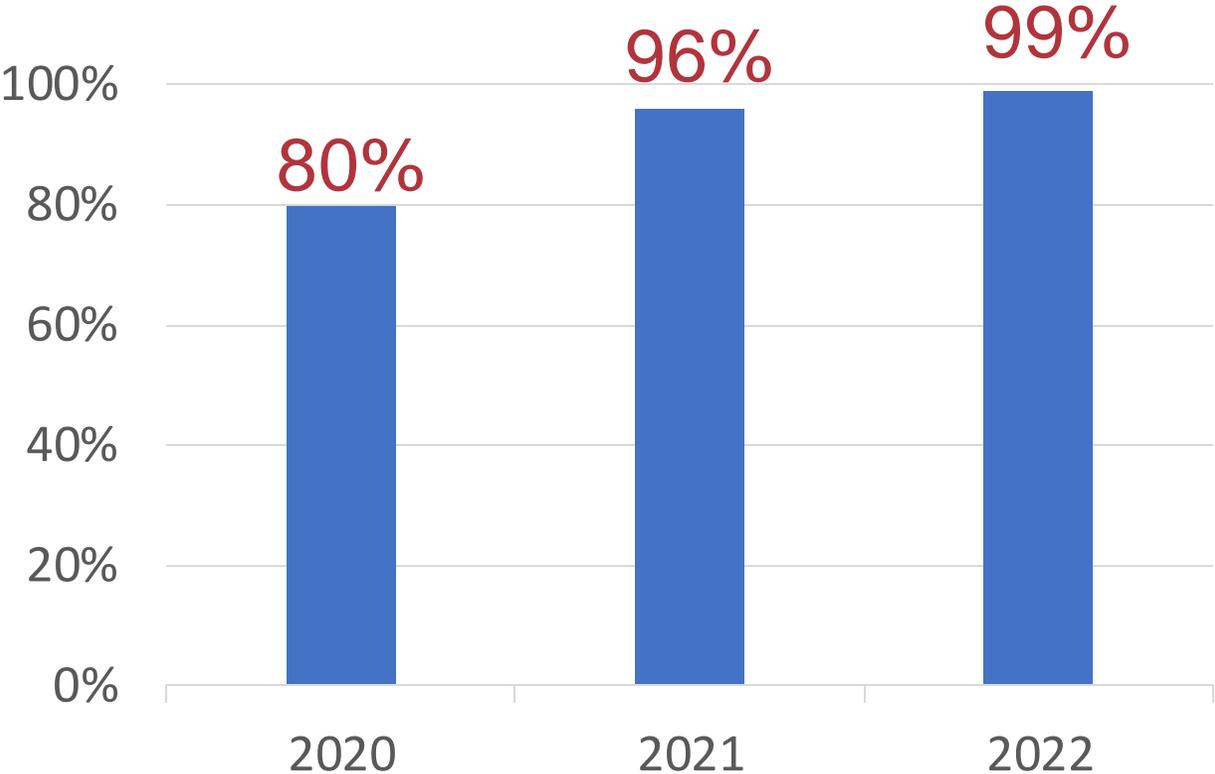
# Key Performance Measures

- Direct contact response time
- Customer service feedback



# Direct Contact – Response Time

KPM 95%

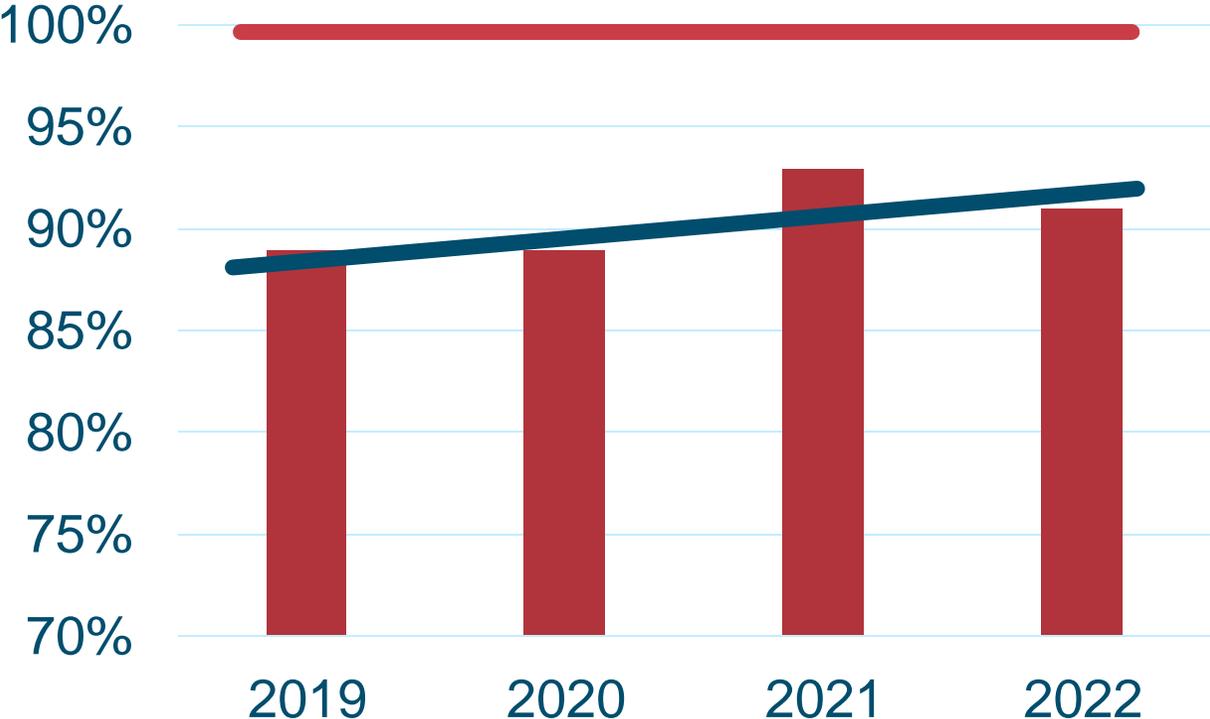


# Customer Feedback

- Survey responses rating OVERALL QUALITY OF SERVICE as “Excellent or “Good”
- KMP Target 100%



# Customer Feedback



# Employer Assistance

---

## 6.5 FTE

- 4 Trainers, plus an eastern Oregon representative (Shared with Apprenticeship and Training Division)
- 1 Admin Specialist
- 1 Manager

# Employer Assistance



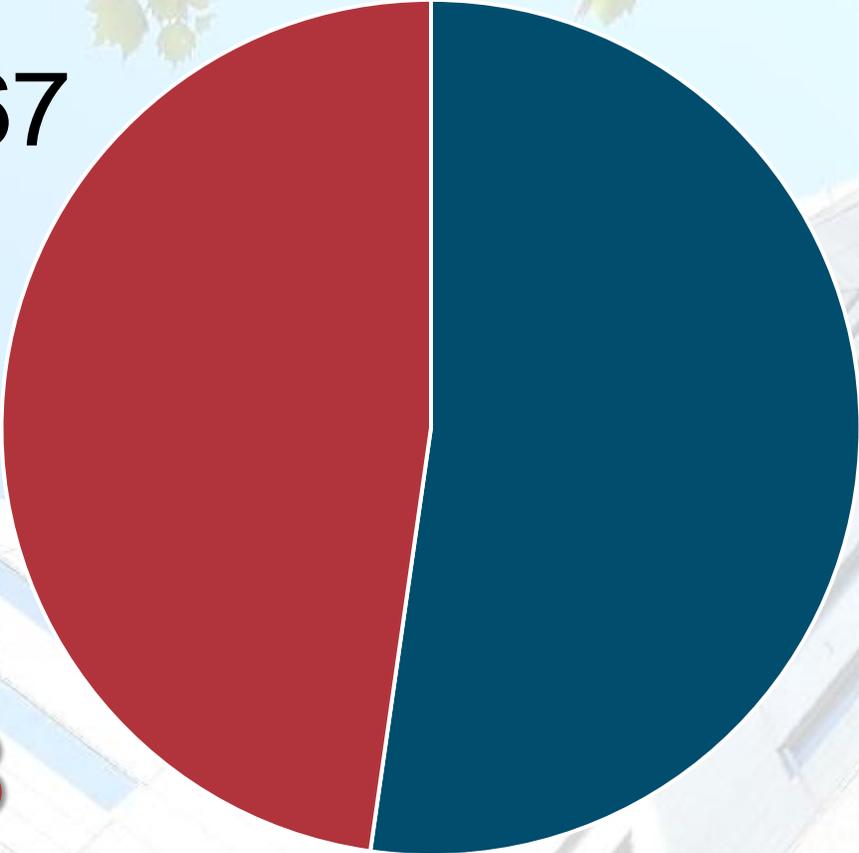
# Employer Assistance

---

CSL \$2,330,267

48%  
Other

\$1,112,528



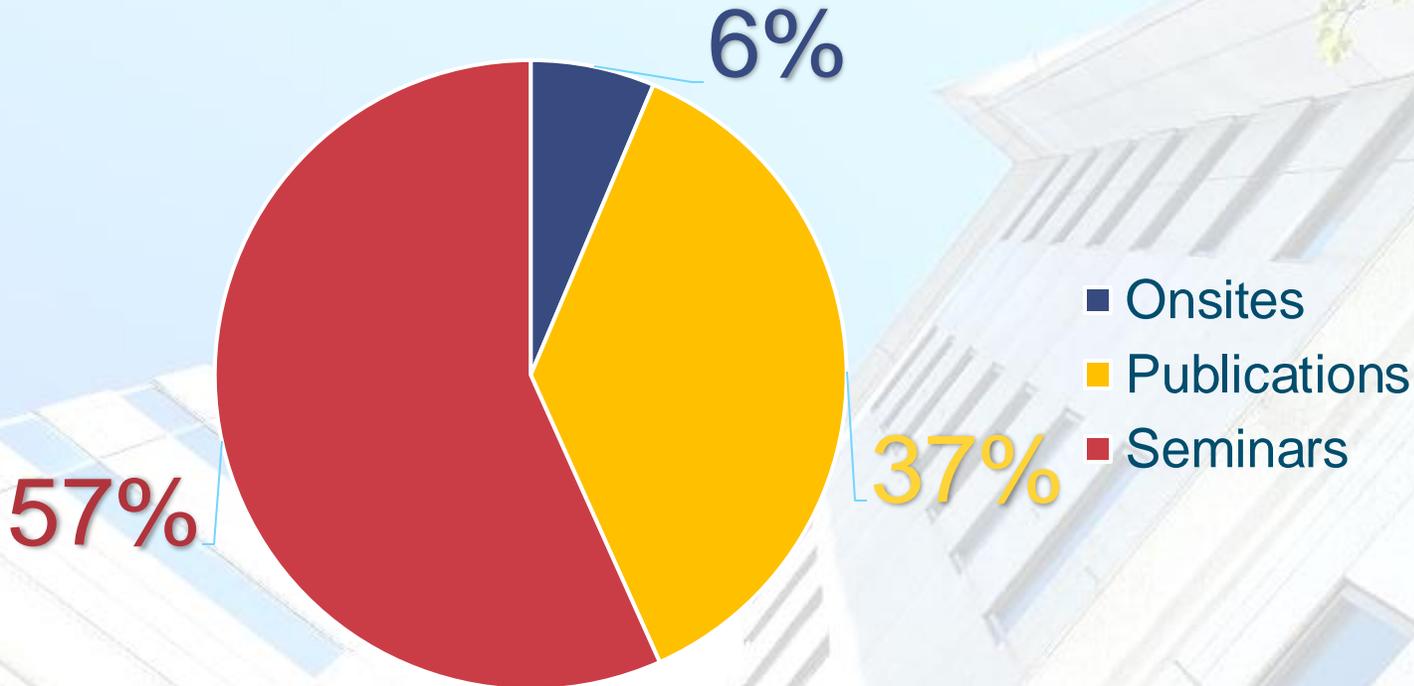
52%

General

\$1,217,739

# Employer Assistance

## Composition of Other Funds



# Employer Assistance

---

Helping Oregon businesses navigate  
employment law





**OREGON** BUREAU OF  
**LABOR &**  
**INDUSTRIES**