

BUREAU OF LABOR AND INDUSTRIES

WAYS & MEANS REFERENCE DOCUMENT



25-27 BIENNIUM

LFO REFERENCE
DOCUMENT



Summary of Provided Materials

Pages 1-3: Spreadsheet: Other Funds, Lottery Funds, and ARPA ending balance forms for the 2025-27 Biennium

Page 4: Spreadsheet: Program prioritization for 2025-27 (form 107BF23)

Pages 5-6: Spreadsheet: Supervisory Span of Control Report from DAS CHRO

Pages 7-13: Veteran Outreach Report (2025)

House Bill 2202 (2019) established a veteran outreach program under BOLI to connect Oregon veterans and National Guard members with registered apprenticeships. The Veterans Outreach position became permanent in 2023, focusing on consultations, partnerships, and career guidance. Since launching an online intake form in 2021, veteran engagement has increased by 33%, with several successfully entering apprenticeships. However, challenges remain, as many veterans seek immediate employment while apprenticeships require a lengthy application process.

To address these challenges, BOLI collaborates with veteran workforce organizations, offers training for employment specialists, and conducts outreach at career fairs. In 2024, BOLI introduced a Military Leave Policy to protect apprentices returning from active service. Looking ahead, BOLI plans to host its first apprenticeship career fair in 2025 and expand veteran benefits, including Post-9/11 GI Bill eligibility, to encourage more veterans to pursue trade careers.

Pages 14-33: Budget Note re Civil Rights Division (2023)

Enrolled Senate Bill 5515 (2023) directed the agency to provide a report to the Interim Joint Committee on Ways and Means related to the Bureau's Civil Rights Division's (CRD) performance, focusing on recruitment and retention issues. The low pay for Civil Rights Investigator 1 roles hampers recruitment, while pay disparities drive experienced Civil Rights Investigator 2 staff to seek better opportunities elsewhere, causing chronic understaffing and inefficiencies. To tackle these issues, the Division hired temporary staff, engaged a consultant to improve the complaint intake process, and reintroduced expedited procedures for certain cases. New staff receive a thorough six-month onboarding. However, a growing backlog remains, underscoring the urgent need for legislative investment to update staffing and compensation for effective civil rights enforcement in Oregon.

Governor's Budget for BOLI

Link to GRB (See pages 213-216)

<https://www.oregon.gov/boli/about/Documents/Governor's%20Recommended%20Budget%2025-27.pdf>

Presentation additional details, documents, and materials

Summary of Agency Investments over the Last Six Years

2019-2021 Biennium				
Division	Program	Funds	FTE	Outcome
ATD	Veteran's Outreach	Lottery Funds \$250,000	1 LD FTE	See attached report (pages 7-13 of Provided Materials)
ATD/HECC	HECC RA contract	Other Funds \$562,608	1 LD FTE	CS2 to fulfil HECC contract re Registered Apprenticeship
All	Website Upgrade	General Funds \$250,000		Updated website
All	Public Records	General Funds	1 FTE	First dedicated public records hire to tackle 2,000+ requests/year
Fiscal	Wage payments	WSF	1 FTE	Process timely payment of wage claims by accountant 1
CRD	Employment Claims	General Funds	1 FTE	Civil Rights Investigator position
WHD	Labor Contracting	Other Funds	.25 FTE	Salem labor contracting assistance (difficult to hire .25 position)
EA/ATD	Eastern Oregon Employer Assistance and Outreach	General Fund	1 LD .92 FTE	EA and Registered Apprenticeship assistance for EO employers

2021-2023 Biennium				
Division	Program	Funds	FTE	Outcome
CRD	Fair Housing Initiative	General Funds \$2,988,276	7 GF	Manager hired 2023; FY 2024 27 conciliations resulting in \$260,695 for complainants, as well as nonmonetary settlements; intake of

				704 questionnaires within 2 weeks
CRD	Employment	General Funds/Federal Funds	9 FTE	Increased capacity; 2 of 9 positions later eliminated
ATD	Veteran's Outreach	Lottery Funds \$270,809	1 LD continued	See attached report (pages 7-13 of Provided Materials)
ATD	Future Ready Oregon	ARPA \$1.1M. (\$791K for 6 Pos) GF \$18.9M (\$436K for 3 pos) \$18M for Grants	9 LD positions (5.67 FTE)	Funds granted in accordance with legislative intent. Grants throughout the state in registered apprenticeship for manufacturing and healthcare, and pre-apprenticeship in manufacturing, healthcare, and construction.
EA	Employer Assistance Program	Fund shift 2 FTE to GF	No increase in FTE	EA could fund program without significantly increasing costs to employers for training and handbooks
All	Operations – HR	GF	1 FTE	First BOLI HR person for agency of about 140
APU	Prosecution	GF	1 FTE	New prosecutor to address case load volume
WHD/CRD	PIE Unit	GF	No increase in FTE	Reclass 4 CS2s to do CRD/WHD cases
WHD	Investigations/ PWR	OF	1 FTE	Bilingual investigator
ATD	Apprenticeship Operations	GF	ELIMINATED 3 FTE	Loss of 2 ARs and OS2
EA/ATD	Employer Outreach	GF	1 LD FTE	EA and Registered Apprenticeship assistance for EO employers
ATD	Apprenticeship	GF/OF	1 LD; 1 PF	DEI Coordinator and LD for HECC contract
WHD HB 5202 (2022)	Wage Claims/ PWR	OF	5 FTE	2 screeners and 3 PWR

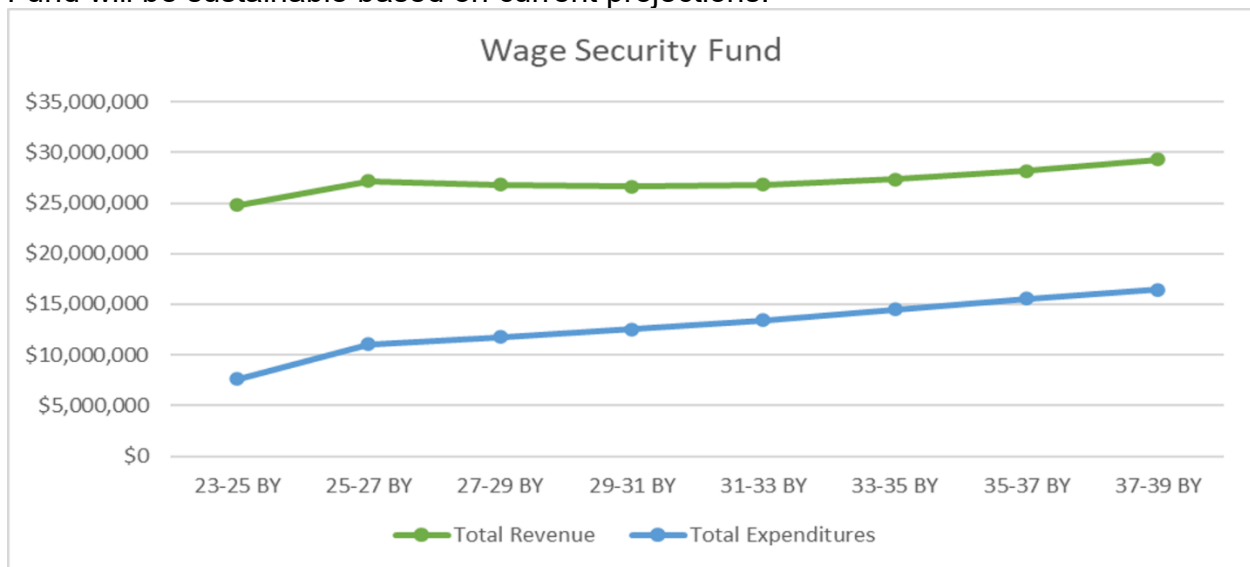
2023-2025 Biennium				
Division	Program	Funds	FTE	Outcome
ATD	Veteran's Outreach	Lottery Funds \$297,187	1 FTE	Made permanent; see attached report
ATD	Future Ready Oregon	ARPA \$631K. (\$473K in PS for 9 pos. GF carry-over \$1,750,878 (\$377K in PS for 3 pos and \$1.3M in Grant Pmts.	12 LD POS (4.47 FTE)	Finalize grantmaking for Future Ready Oregon. Funds granted in accordance with legislative intent. Grants throughout the state in registered apprenticeship for manufacturing and healthcare, and pre-apprenticeship in manufacturing, healthcare, and construction.
ATD	FRO Compliance Reviews	Other Funds \$991,772	2 POS (3.96 FTE)	100% of backlog compliance reviews completed (31% require follow-up)
ATD	Apprenticeship	GF	ELIMINATED 2 POS (0.54 FTE)	Eliminated an 0.50 FTE Apprenticeship Rep. And the remaining portion of an Administrative Specialist 1 (0.04 FTE).
All	Operations HR	GF	1 FTE	HR Manager
All	Legal	GF	1 FTE	Legal Director
CRD	Employment	GF	Eliminated 2 FTE Added 1 FTE	2 positions were long-term vacancies due to recruitment issues; added one mediator
WHD	Wage Complaints	GF	1 FTE	Mediator
All	Public Records	GF	.88 LD FTE	Additional staff for the 2,000+ requests per year

WHD SB 5506 (2023)	Wage Complaints	WSF	3 FTE	2 investigators and 1 screener; decreased backlog by proportionate amount
EA/ATD	Employer Outreach	GF	1 FTE	Made permanent

Summaries above do not include allocation for reclassifications.

Fund Source Information

The below graph demonstrates that increasing the expenditures of the Wage Security Fund will be sustainable based on current projections.



Audits

In early 2023, BOLI requested that the Secretary of State conduct its first audit of the Bureau. The audit began in June of 2024 and is expected to be finalized by June of 2025.

In August of 2023 BOLI received a report from an outside evaluation of its Civil Rights intake process, which is attached (see pages 14-34 of Provided Materials) following BOLI’s 2023 Budget Note Report. The report recommends additional staff and additional improvements, which are either being undertaken or are the subject of BOLI’s 25-27 request, such as an improved case management system.

Impacted agency operations from recent budget and management flexibility changes

As discussed in the presentation, increases to the agency's budget have increased the agency's ability to meet the workload demands; however, the investments have not yet caught up to the historic disinvestment coupled with the exponential rise in demand on the agency. A cursory review of 74 policy bills passed since 2015 requiring BOLI action demonstrates that only eight received funding.

Workforce challenges

As discussed in the presentation, there are numerous challenges to the agency due to the inability to recruit and retain staff at appropriate salary levels. The attached Budget Note Report provides an overview of the challenges in the Civil Rights Division. As discussed in the presentation, BOLI has been working with DAS Class and Comp for two years to restructure and reclassify positions in all of the Divisions to meet the recruitment and retention challenges.

Supervisory Span of Control Report from DAS CHRO

Included (see pages 5-6 of Materials Provided)

Program prioritization for 2025-27 (form 107BF23)

Included (see page 4 of Materials Provided)

Summary of proposed IT and capital construction projects

The legislature funded Phase One of BOLI's Case Management Replacement Project. BOLI is requesting funding for Phase Two. BOLI's case management system is end-of-life and expensive to maintain. Without Phase Two of case management funding the agency will continue to incur costs associated with an end-of-life database and not be able to process or track claims efficiently, further compounding existing delays. The goal of the project is to Replace legacy systems with a comprehensive, integrated case management system.

Key Focus Areas:

- Centralized Case Management
- Workflow Automation
- Enhancing Reporting
- Improved Accessibility

Potential Efficiency Gains: Based on industry estimates and RFI responses, we anticipate potential savings in the following areas:

1. Data entry time reduction of up to 30-40%

2. Data integrity management time reduction of up to 20-30%
3. Reporting and analysis time reduction of up to 70-80%
4. Service delivery management time reduction of up to 30-40%
5. Cost reduction of up to 40% for creating and managing new programs

For BOLI and State Government:

- Increased Efficiency & Productivity:
 - Streamlined workflows & automation – Reduce staff time spent on manual tasks by 20-30%
 - Enhanced system stability – Reduced downtime and data loss.
- Improved Data & Reporting:
 - Robust data collection & analysis – Measure outcomes, identify trends, improve processes.
 - Better compliance & audit trails.
- Cost Savings & Resource Optimization:
 - Reduced manual effort & administrative costs.
 - Better resource allocation based on data-driven insights.

For Oregonians:

- Improved Customer Service:
 - Faster case resolutions – 30-40% decrease in processing time projected.
 - Easier case tracking & communication
- Greater Equity & Justice:
 - Ability to track demographics to ensure fair service delivery.
 - Targeted outreach to underserved communities.
- Enhanced Public Trust:
 - Increased transparency and accountability.
 - More efficient and responsive agency.

IMPLEMENTATION PLAN AND TIMELINE

Phased Approach to Ensure Successful Transition

- Procurement: July - September 2025
- First Steps with Contracted Vendor: January – March 2026
- Implementation and Customization: 2026
- Change Management and Training: 2027
- System Live and Fully Transitioned: Q4 2027

State IT Governance: We are committed to aligning our implementation approach with the state's IT strategy, including a cloud-first approach and adoption of agile principles. We will work closely with Enterprise Information Services (EIS) to ensure that our project adheres to these principles, prioritizing flexibility, scalability, and rapid delivery of value to Oregonians.

Package totals \$2,240,612 and includes 5 positions (5.00 FTE); three of which are limited duration.

Summary of 10% reduction options

Activity or Program (WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	Amount and Fund Type						
	GF	LF	OF	FF	Total Funds	Pos.	FTE
Apprenticeship & Training Division	(\$713,861)		(\$524,486)		(\$1,238,347)	(5)	(5.00)
ATD Veterans Outreach		(\$30,700)			(\$30,700)		
Civil Rights Division Fair Housing	(\$287,990)				(\$287,990)	(1)	(1.00)
Civil Rights Division Protected Classes	(\$619,211)			(\$170,130)	(\$789,341)	(4)	(3.50)
Wage & Hour Prevailing Wage Rate			(\$537,346)		(\$537,346)	(2)	(2.50)
Wage & Hour Minimum Wage Claims	(\$636,967)				(\$636,967)	(3)	(3.00)
Administrative Prosecution Unit	(\$255,242)				(\$255,242)	(1)	(1.00)
Commissioner's Office	(\$168,024)		(\$39,413)		(\$207,437)	(1)	(1.00)
Agency Wide Service & Supply Reductions	(\$778,159)		(\$1,158,523)	(\$55,998)	(\$1,992,680)	0	0.00
	(\$3,459,454)	(\$30,700)	(\$2,259,768)	(\$226,128)	(\$5,976,050)	(17)	(17.00)

Summary of long-term vacancy information

Job Profile	Default Compensation Grade Profile	Length (In Months)	GF	OF	FF	Total
Compliance Specialist 2	OAS-23-AP	13		\$250,784		\$250,784
Executive Support Specialist 2	MENN-20-AP	18	\$136,895	\$32,111		\$169,006
Civil Rights Investigator 2	OAS-26-AA	30			\$198,603	\$198,603
Civil Rights Investigator 2	OAS-26-AA	30			\$198,603	\$198,603
Apprenticeship Representative	OAS-23-AP	12	\$231,678			\$231,678
			\$368,573	\$282,895	\$397,206	\$1,048,674

Compliance Specialist 2

An individual was hired for the Compliance Spc. 2 position in an unbudgeted position and was not moved into this position until January of 2025.

Executive Support Specialist 2

An individual was hired to fill this position. It appears that this individual has been entered into Workday in a similar classification as this one and this position shows up as vacant.

Two Civil Rights Investigator 2s - cut in 070 package (Federal Funds)

These positions are associated with the HUD contract that has not materialized. Both of these positions have been cut in an 070 package in BOLI's 25-27 ARB.

Apprenticeship Representative

This position has remained vacant pending a reclass. A permanent finance plan has been submitted. Although the PFP was submitted, it was not captured in the GRB and my understanding it is pending final approval.

Other Funds, Lottery Funds, and ARPA ending balance forms

Included (see Page 4 of Provided Materials)

Agency Partners by Division and Unit

Wage and Hour Division

Labor Standards

Oregon Law Center, Legal Aid Services of Oregon, Oregon OSHA, Oregon Department of Revenue, Oregon Contractors and Construction Board, Oregon Liquor and Cannabis Commission, United States Department of Labor

Prevailing Wage

[The list can be viewed here.](#)

Strategic Enforcement

Northwest Workers Justice Project, PCUN, Legal Aid Services of Oregon, Oregon OSHA, Oregon Department of Revenue, Oregon Contractors and Construction Board, Oregon Liquor and Cannabis Commission, United States Department of Labor, Mexican Consulate, Western States Regional Council of Carpenters, IUPAT DC 5, SEIU Local 49, Wheat Growers League, OSU Extension Center, Chemeketa Community College

Labor Contracting

United States Internal Revenue Service, United States Department of Labor, Oregon Employment Department, Oregon Department of Revenue, Oregon Law Center, Legal Aid Services of Oregon

Child Labor Unit

United States Department of Labor Wage and Hour Division, Oregon Department of Consumer and Business Services, Oregon Workers' Compensation Division, Oregon OSHA

Civil Rights Division

Administrative Support Unit

Same as below

Employment and Public Accommodations (Intake and Investigations)

United States Department of Labor/OSHA, Oregon Department of Consumer and Business Services/Workers Compensation Division, Oregon Department of Consumer and Business Services/Oregon OSHA, Northwest Workers Justice Project, PCUN, Legal Aid Services of Oregon, Oregon Law Center, Oregon State Bar, Oregon AFL-CIO, Oregon State Building and Construction Trades Council, Oregon Employment

Department, Oregon State Treasurer, Mexican Consulate, Western States Regional Council of Carpenters, IUPAT DC 5, SEIU Local 49, City of Portland, Washington Human Rights Commission

Housing

Legal Aid Services of Oregon, Oregon Law Center, Fair Housing Council of Oregon, Metropolitan Public Defenders, Urban League of Portland. El Programa Hispano, (Gresham), Umatilla Tribe, Community Action Program of Oregon, Latino Community Association (Bend), UNETE (Medford), Mexican Consulate, City of Portland, Washington Human Rights Commission

Legal Division

Alternative Dispute Resolution

Oregon State Bar Employment Section, Legal Aid Services of Oregon

Administrative Prosecution Unit

Oregon Department of Justice, Oregon Law Center, Legal Aid Services of Oregon, United States Department of Labor, Regional Bar Associations

Apprenticeship and Training Division

Washington Labor and Industries Apprenticeship Division, Montana Department of Labor and Industry Registered Apprenticeship Division, United States Department of Labor Office of Apprenticeship, Oregon's 17 Community Colleges, Oregon Higher Education Coordinating Commission, Business Oregon, Oregon Department of Transportation, The Oregon State Building and Construction Trades Council and their affiliates, Oregon AFSCME Council 75, SEIU 503, Oregon Teachers Standards and Practices Commission, Oregon Health Authority, Allied Apprenticeship Coordinators Association, Oregon Health and Sciences University Oregon Institute of Occupational Health Sciences, Portland State University Sociology Department, Hoffman Construction, National Electrical Contractor Association of Oregon.

Employer Assistance

Chambers of Commerce, Employer Associations, Oregon Business and Industry, Oregon Associated General Contractors, Small Business Development Organizations, Community College Programs

W&M Provided Materials

Agency Name: Bureau of Labor and Industries (BOLI) 2025-27 Biennium									Contact Person (Name & Phone #): Terry Bonebrake 971-295-0336	
Updated Other Funds Ending Balances for the 2023-25 and 2025-27 Bienna										
(a)	(b)	(c)	(d)	(f)		(h)		(j)		
Other Fund Type	Program Area (SCR)	Treasury Fund #/Name	Category/Description	2023-25 Ending Balance		2025-27 Ending Balance		Comments		
				In LAB	Revised	In CSL	Revised			
Commissioners Office	010-01-00-00000			0	0	5,000,000	5,000,000	Tech. adjst. Required for CHIPS Trsf. Amount. DCR 050-015		
Business Services	010-02-00-00000	0401		453,844	453,844	618,260	618,260			
Employer Assistance	010-03-00-00000	0401		343,721	264,721	1,576,876	1,497,876	23/25 Seminars (\$74K) - Publications (\$5K)		
Public Records	010-08-00-00000	0401		0		(218,926)	(218,926)	Note Pkg. 070		
Commissioner's Office/Supp Svcs	010-00-00-00000		Operations	797,565	718,565	6,976,210	6,897,210			
Civil Rights Administration (OSHA)	030-01-00-00000	0401		195,679	195,679	382,566	682,566	\$300K increase in OSHA IAA part of LAB		
CRD Injured Worker	030-02-00-00000	0401		9,841	9,841	273,084	273,084			
Civil Rights	030-00-00-00000		Operations	205,520	205,520	655,650	955,650			
WHD - Farm/Forest Labor & Janitorial Contractors	040-01-00-00000	0401		(37,979)	380,000	322,240	702,240	Increased license fee rev. \$380K (multi-yr lic.)		
WHD - Wage Security Fund (WSF)	040-04-00-00000			12,772,654	17,225,994	9,278,368	18,903,863	WSF OF-Non Ltd		
WHD - WSF Administration	040-04-00-00000			(417,351)	0	2,468,857	4,252	Analyst Rec. \$2,464,605 Technical Adjst. Transfer-In Intrafund		
WHD - Prevailing Wage Rate (PWR)	040-08-00-00000	0401		2,977,373	3,277,373	1,816,848	2,116,848	Up \$300K in 23/25		
Wage & Hour Division	040-00-00-00000		Operations	15,294,697	20,883,367	13,886,313	21,727,203			
ATD ODOT Highway Diversity Project	050-11-00-00000			0	0	(527,860)	0	Note Pkg. 070 - Program capped at \$3.6M		
ATD CHIPS	050-15-00-00000			0	0	0	5,000,000	Tech. adjst. Required for CHIPS Trsf. Amount. DCR 050-015		
Apprenticeship & Training Transportation Workforce Development	050-00-00-00000		Operations	0	0	(527,860)	5,000,000			

Objective: Provide updated Other Funds ending balance information for potential use in the development of the 2025-27 legislatively adopted budget.

Instructions:

Column (a): Select one of the following: Limited, Nonlimited, Capital Improvement, Capital Construction, Debt Service, or Debt Service Nonlimited.

Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2023-25 legislatively approved budget. If this changed from previous structures, please note the change in Comments (Column (j)).

Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (j).

Column (d): Select one of the following: Operations, Trust Fund, Grant Fund, Investment Pool, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes.

Column (e): List the Constitutional, Federal, or Statutory references that establishes or limits the use of the funds.

Columns (f) and (h): Use the appropriate, audited amount from the 2023-25 legislatively approved budget and the 2025-27 current service level at Governor's Budget.

Columns (g) and (i): Provide updated ending balances based on revised expenditure patterns or revenue trends. The revised column (i) should assume 2025-27 current service level expenditures, considering the updated 2023-25 ending balance and any updated 2025-27 revenue projections. Do not include adjustments for reduction options that have been submitted. Provide a description of revisions in Comments (Column (j)).

Column (j): **Please note any reasons for significant changes in balances previously reported during the 2023 session.**

Additional Materials: If the revised ending balances (Columns (g) or (i)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (h)), attach supporting memo or spreadsheet to detail the revised forecast.

W&M Provided Materials

Bureau of Labor and Industries (BOLI)					Contact Person (Name & Phone #): Terry Bonebrake 971-295-0336				
2025-27 Biennium									
Updated Lottery Funds Ending Balances for the 2023-25 and 2025-27 Bienna									
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Lottery Funds Type	Program Area (SCR)	Treasury Fund #/Name	Category/Description	Constitutional and/or statutory reference	2023-25 Ending Balance		2025-27 Ending Balance		Comments
					In LAB	Revised	In CSL	Revised	
Veterans Service Fund	050-00-00-00000		Operations		0	0	0	0	Veterans Outreach Program

Objective: Provide updated Lottery Funds ending balance information for potential use in the development of the 2025-27 legislatively adopted budget.

Instructions:

Column (a): Select one of the following: Economic Development Fund (EDF), Parks and Natural Resources (M76), Veterans' Services (M96), Education Stability Fund (ESF), Debt Service

Column (b): Select the appropriate Summary Cross Reference number and name from those included in the 2023-25 legislatively approved budget. If this changed from previous structures, please note the change in Comments (Column (j)).

Column (c): Select the appropriate, statutorily established Treasury Fund name and account number where fund balance resides. If the official fund or account name is different than the commonly used reference, please include the working title of the fund or account in Column (j).

Column (d): Select one of the following: Operations, Grant Fund, Loan Program, or Other. If "Other", please specify. If "Operations", in Comments (Column (j)), specify the number of months the reserve covers, the methodology used to determine the reserve amount, and the minimum need for cash flow purposes.

Column (e): List the Constitutional or Statutory references that establishes or limits the use of the funds.

Columns (f) and (h): Use the appropriate, audited amount from the 2023-25 legislatively approved budget and the 2025-27 current service level at Governor's Budget.

Columns (g) and (i): Provide updated ending balances based on revised expenditure patterns or revenue trends. The revised column (i) should assume 2025-27 current service level expenditures, considering the updated 2023-25 ending balance and any updated 2025-27 revenue projections. Do not include adjustments for reduction options that have been submitted. Provide a description of revisions in Comments (Column (j)).

Column (j): **Please note any reasons for significant changes in balances previously reported during the 2023 session.**

Additional Materials: If the revised ending balances (Columns (g) or (i)) reflect a variance greater than 5% or \$50,000 from the amounts included in the LAB (Columns (f) or (h)), attach supporting memo or spreadsheet to detail the revised forecast.

W&M Provided Materials

Bureau of Labor and Industries							
2025-27 Biennium				Contact Person (Name & Phone #): Terry Bonebrake 971-295-0336			
2023-25 ARPA Ending Balances							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
SCR	Program Description	2023-25 LAB	2023-25		2025-27 POP		Comments
			Ending Balance	Amount Obligated	Y/N	POP #	
050-00-00-00000	Apprenticeship & Training Division	631,615	155,217		N	TBD	POP not in ARB or GRB. Currently working with LFO to included POP in LAB.

Instructions:

- Column (a): Select the appropriate Summary Cross Reference number and name from those included in the 2023-25 legislatively approved budget.
- Column (b): List American Rescue Plan Act (ARPA) balances by legislatively approved uses and/or specified transfers to agency programs.
- Column (c): Provide the expenditure limitation approved for the ARPA funds in the 2023-25 legislatively approved budget.
- Column (d): Enter the total estimated balance of ARPA funds that will be unspent at the close of the 2023-25 biennium.
- Column (e): Enter the amount of the unspent ARPA balance obligated to a project/program through an award, grant agreement, or other contract as of December 31, 2024.
- Column (f) and (g): Indicate whether the 2025-27 Governor's Budget includes a policy option package (POP) to utilize the ARPA funds carrying forward into the 2025-2 biennium, and if so, provide the POP number.
- (h) Please provided any additional information related to ARPA ending balances.

W&M Provided Materials

PROGRAM PRIORITIZATION FOR 2025-27 ARB

Agency Name:		Bureau of Labor and Industries																		Agency Number:		83900	
2025-27 Biennium		Agency-Wide Priorities for 2025-27 Biennium																					
1	2	3	4	5	6	7	8	9	10	11	12	14	15	16	17	18	19	20	21	22			
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program-Activity Code	GF	LF	OF	NL-OF	FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO Only)	Comments on Proposed Changes to CSL included in Agency Request				
Agcy	Prgm/Div																						
1	2	BOLI	WHD MW	Minimum Wage Claims	#3	1	8,502,024				\$ 8,502,024	28	28.03	N	Y	-							
2	1	BOLI	CRD PC	Civil Rights Protected Classes	#2	1	13,913,697				\$ 13,913,697	45	44.27	Y	Y	S	659A.820 - 659A.840						
3	1	BOLI	WHD WSF	Wage Security Fund	#4	12	1,024,917	4,980,443	938,700		\$ 6,944,060	22	20.71	N	N	S	652.414						
4	2	BOLI	CRD EEOC	Equal Employment Opportunity Cases	#2	1				1,974,831	\$ 1,974,831	6	5.61	N	Y	FO		The Civil Rights Division and EEOC have concurrent jurisdiction over cases filed under the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Age Discrimination in Employment Act.					
5	7	BOLI	WHD CLU	Child Labor Unit		1	245,421				\$ 245,421	1	1.00	N	N	S	653.307, 653.535, 653.540						
6	3	BOLI	WHD PWR	Prevailing Wage Rate Enforcement	#5, #12	1	226,553	5,480,539			\$ 5,707,092	15	16.60	N	N	S	279C.817, 279C.817						
7	4	BOLI	WHD DDI	Proactive Investigation and Enforcement		1		1,273,964			\$ 1,273,964	4	4.00			S							
8	4	BOLI	CRD IW	Injured Worker Investigations	#2	1		1,754,008			\$ 1,754,008	5	5.50	N	N	-							
9	7	BOLI	CRD FH	State Fair Housing Enforcement	#2	1	4,004,736				\$ 4,004,736	8	8.00			-							
10	5	BOLI	WHD FLU	Farm/Forest/Construction Labor/Property Services Contractors		1		876,782			\$ 876,782	4	3.00	Y	N	S	658.407, 658.410						
11	5	BOLI	CRD OSHA	Occupational Safety & Health	#2	1		1,004,308			\$ 1,004,308	3	3.12	N	N	-							
12	6	BOLI	WHD PWR	Prevailing Wage Rate Education		7		708,836			\$ 708,836	2	2.00	N	N	-							
13	2	BOLI	APU	Administrative Prosecution	#9	1	3,492,204	1,484,989		317,108	\$ 5,294,301	15	15.00	N	N	S	652.332, 653.065, 658.450						
14	8	BOLI	WHD WC	Discretionary Wage Claim Enforcement	#3	1	1,011,607				\$ 1,011,607	5	3.91	Y	Y	-							
15		BOLI		Customer Service Center			801,602				\$ 801,602	3	3.00			-							
16	1	BOLI	CO's	Commissioner's Office	#1	4	3,352,381	805,972		72,311	\$ 4,230,664	10	10.00	N	N	S	651.030, 651.060						
17	3	BOLI	TA	Employer Assistance	#10	7	2,232,646	1,369,238			\$ 3,601,884	9	9.00	Y	N	-							
18	9	BOLI	WHD ST	Sick Time Enforcement		1	209,814				\$ 209,814	1	1.00		Y	S							
19	1	BOLI	ATD	Apprenticeship Program	#6, #7, #8	7	4,898,577	0		0	\$ 4,898,577	15	15.00	Y	Y	S	660.002-660.210						
20	2	BOLI	ATD - ODOT	ODOT Diversity Project	#6, #7, #8	7	0	3,600,000			\$ 3,600,000	2	2.00	N	Y	-							
21	3	BOLI	ATD	Veterans Outreach	#6, #7, #8	6		307,006			\$ 307,006	1	1.00			-							
22	6	BOLI	CRD ST	Sick Time Enforcement	#2	1	187,295				\$ 187,295	1	1.00	Y	Y	S	659A.820 - 659A.840						
23		BOLI		Accessibility Unit			265,775				\$ 265,775	1	1.00			-							
0	0	BOLI	OAS	Fiscal Services		4	2,362,520	1,267,664			\$ 3,630,184	9	9.00	N	N	-							
0	0	BOLI	IT	Information Technology		4	3,432,028	498,069			\$ 3,930,097	8	8.00	Y	N	-							
0	0	BOLI	HR	Human Resource			1,485,396				\$ 1,485,396	5	5.00			-							
0	0	BOLI	PR	Public Records			840,085				\$ 840,085	3	2.50			-							
							52,489,278	307,006	25,104,812	938,700	2,364,250	231	228.25										

W&M Provided Materials

HCM | Span of Control Counts by Supervisory Organization (Company or Supervisory Organization Selection)

Effective as of Date and 2/11/2025 0:00

Time

Company

Bureau of Labor and Industries

OR Supervisory Organization

Administration - BOLI	Competitive Grants Unit - BOLI
Administrative Prosecution Unit - BOLI	CRD - Training & Policy - BOLI
Apprenticeship & Training Division - BOLI	Field Operations - BOLI
Apprenticeship Compliance - BOLI	Human Resources Manager - BOLI
Apprenticeship Field Operations - BOLI	Intake & Support - BOLI
Apprenticeship Operations - BOLI	Labor Contracting / Operations Support Unit - BOLI
BOLI - Commissioner's Office	Legal Policy - BOLI
BOLI - Contingent Workers	Portland Operations - BOLI
Bureau of Labor and Industries	Technical Assistance Division - BOLI
Business Operations - BOLI	Wage & Hour Compliance - BOLI
Business Services - BOLI	Wage & Hour Division - BOLI
Civil Rights Division - BOLI	Wage & Hour Operations - BOLI
	Wage and Hour Compliance - BOLI

Include Subordinate Organizations

Yes

Supervisory Organization	Supervision Category	Filled	Vacant	Total
Administration - BOLI	Non-Supervisory	4	2	6
Administration - BOLI	Supervisory	5	2	7
Administrative Prosecution Unit - BOLI	Non-Supervisory	6	3	9
Apprenticeship & Training Division - BOLI	Non-Supervisory	3	7	10
Apprenticeship & Training Division - BOLI	Supervisory	2	0	2
Apprenticeship Compliance - BOLI	Non-Supervisory	4	4	8
Apprenticeship Field Operations - BOLI	Non-Supervisory	7	1	8
Apprenticeship Operations - BOLI	Non-Supervisory	4	1	5
BOLI - Commissioner's Office	Non-Supervisory	2	0	2
Bureau of Labor and Industries	Non-Supervisory	1	0	1
Bureau of Labor and Industries	Supervisory	3	0	3
Business Operations - BOLI	Non-Supervisory	4	0	4
Business Operations - BOLI	Supervisory	1	0	1
Business Services - BOLI	Non-Supervisory	6	2	8
Civil Rights Division - BOLI	Non-Supervisory	1	5	6
Civil Rights Division - BOLI	Supervisory	4	0	4
CRD - Training & Policy - BOLI	Non-Supervisory	3	0	3
Customer Service & Quality Assurance Executive Branch	Non-Supervisory	6	0	6
	Non-Supervisory	1	0	1

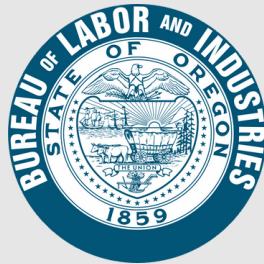
W&M Provided Materials

Supervisory Organization	Supervision Category	Filled	Vacant	Total
Fair Housing	Non-Supervisory	6	0	6
Field Operations - BOLI	Non-Supervisory	9	2	11
Human Resources - BOLI	Non-Supervisory	1	1	2
Human Resources Manager - BOLI	Supervisory	1	0	1
Intake & Support - BOLI	Non-Supervisory	4	1	5
Intake & Support - BOLI	Supervisory	1	0	1
Labor Contracting / Operations Support Unit - BOLI	Non-Supervisory	11	0	11
Legal Policy - BOLI	Non-Supervisory	3	1	4
Legal Policy - BOLI	Supervisory	0	1	1
Portland Operations - BOLI	Non-Supervisory	9	0	9
Technical Assistance Division - BOLI	Non-Supervisory	6	0	6
Wage & Hour Compliance - BOLI	Non-Supervisory	12	1	13
Wage & Hour Division - BOLI	Supervisory	3	0	3
Wage & Hour Operations - BOLI	Non-Supervisory	8	2	10
Wage and Hour Compliance - BOLI	Non-Supervisory	17	1	18
Total		158	37	195

BUREAU OF LABOR
AND INDUSTRIES

Veteran Outreach Report

FEBRUARY 2025



HB 2202 B (2019)

(971) 245-3844

OREGON.GOV/BOLI

1800 SW 1st Ave #500
Portland, OR, 97201



Veteran Outreach Legislative Report (2025)

Table of Contents

- 1. House Bill 2202 (background).....1
- 2. Veteran Outreach.....1
 - a. Veteran Intake.....1-2
 - b. Veteran Intake Results....2-3
 - c. Recruitment Challenges....3
 - d. Veteran Marketing Efforts....3
 - e. Veteran Outreach Events.....4
- 3. Partnerships.....4-5
- 4. Military Leave Policy.....5-6
- 5. Looking Forward.....6

1. House bill 2022 (2019) – History and Implementation

House Bill 2202 (2019) directed the Bureau of Labor and Industries (BOLI), Apprenticeship and Training Division (ATD) to develop and administer a program to conduct outreach to residents of Oregon who are Veterans as defined in ORS 408.225 or who served in the Oregon National Guard or a reserve component of the armed forces. When passed in 2019, the legislature allocated one temporary position for this work.

In 2023, the legislature made BOLI’s Veterans Outreach position permanent. The aim of the Outreach Position is to inform veterans about trade careers and connect interested individuals with available registered apprenticeship opportunities. This is executed through establishing key partnerships throughout the State, conducting veteran outreach, and having veterans seek BOLI’s consultation services on Registered Apprenticeship to learn more about the available opportunities within Oregon.

2. Veteran Outreach

a) Veteran Intake

In May of 2021 BOLI ATD established an online Veteran Intake Form (<https://www.oregon.gov/boli/apprenticeship/Pages/vets-services.aspx>) on the agency website that allows veteran career seekers interested in learning more about registered apprenticeship the opportunity to meet one on one with the BOLI ATD Veterans Outreach Coordinator.

There has been a 33% increase in intake contacts from veterans seeking services from 2022-2024.

Year	Number of contacts
May 2021 - December 2021	58
January 2022 - December 2022	126
January 2023 - December 2023	166
January 2024 - December 2024	168

Veterans seeking services receive a one-on-one consultation. In this consultation veterans receive an overview of apprenticeship/the following information:

- Programs available in their area
- How to contact/prepare for Program engagement
- How to navigate BOLI’s Program Standards
- Veteran benefits they may be entitled to (Post 9-11 GI Bill / Application benefits)
- Referral to a Resume Writer (ONG, SMFS EEC/DVOP)
- All of the necessary documentation they will need to apply for programs or services

BOLI’s consultations are information sessions designed with the goal of ensuring veterans coming in receive all the necessary information (saving them hours of research) they will need to make an informed decision about registered apprenticeship. Veterans who receive a consultation and are interested in pursuing apprenticeship have the option (it is not necessary) to request a referral from us to their Program of interest. In order to receive a referral a veteran must complete their application packet (collecting all of the documentation necessary) required by their Program. Our referrals provide no guarantees into a Program. However, what it does provide is continued clarity around the process and ensures veterans are on the right track before submission.

b) Veteran Intake Results

Out of the consultations in the last two years, 17 veterans committed to completing the work it takes to be referred to a program. Out of the 17, seven have officially entered the apprenticeship system at this time. The other 10 are still pending. **The potential earnings resulting from one placement is substantial.** Below is an example of an apprentice’s wage via the Oregon Laborers JATC (2-year program).

Period	Required Hours	Hourly Pay	Required Hours x Hourly Pay	Total
1st	1000 (6-month period)	\$24.63	1000 x \$24.63	\$24,630
2nd	1000 (6-month period)	\$27.37	1000 x \$27.37	\$27,370
3rd	1000 (6-month period)	\$31.28	1000 x \$31.28	\$31,280
4th	1000 (6-month period)	\$35.19	1000 x \$35.19	\$35,190
				\$118,470

Over the course of this Program apprentices make on average \$59,235 annually. The Journey Worker who completes this Program makes \$39.11 an hour (at average).

c) Recruitment Challenges (Job vs Career)

Many do not realize that applying to be an apprentice means you are applying for a career opportunity and not just simply that of a job. Applying to become an apprentice is often slow, tedious (documentation gathering), and competitive. In addition, Open enrollment to apply is not year-round with Programs. It is on an as needed basis.

Due to this selective process and timing of open enrollment, attempting to see it through can be difficult for those in dire need of employment. These veterans need something more immediately attainable. Due to this reality, it is crucial that we have a strong working relationship with other Veteran Workforce Development Services (VWDS) to connect those veterans in dire need of employment to them.

d) Veteran Marketing Efforts

Since the inception of the Veterans Outreach position, BOLI has created three veteran videos; which have been placed on our agency website (<https://www.oregon.gov/boli/apprenticeship/Pages/vets-services.aspx>). The existing videos have been made with a timeless approach with the intent to inspire veterans to seek a career in the trades and to speak to the core benefits of what it means to be veteran apprentice. BOLI has also created veteran brochures, flyers, wallet cards, veteran pins, and is currently in the process of ordering military coins. All of these marketing materials are made available when outreach is done at career fairs or veteran stand downs. BOLI’s Veteran’s Outreach Coordinator has presented at or attended the following events in 2023 and 2024.

e) Selected Veteran Outreach Events

Below are selected outreach events that BOLI has attended over a one-year period.

- Jobs for Veterans' State Grant Annual Training Oct 10th, 2023 – Salvation Army Salem, OR
- ODVA 2023 OREGON WOMEN VETERANS CONFERENCE- MAY 20-21, 2023, Salem Convention Center
- Oregon Department of Veteran Affairs - Career Day - Chemeketa Community College (June 1st, 2023)
- SALEM YMCA Veteran Stand Down – WorkSource Oregon - SEPTEMBER 13th, 2023
- 2023 PORTLAND VETERANS HIRING FAIR & STAND DOWN by Transition Projects Wednesday, September 20, 2023 | Veteran Coliseum Portland, OR
- Oregon Tradeswomen Gala SEPTEMBER 29, 2023
- Fall 2023 Employing U.S. Vets Virtual Conference – October 12th, 2023
- Project Homeless Connect Stand Down - February 23rd, 2024
- Spring 2024 Employing U.S. Vets Conference – 4/11/2024
- PCC Rock Creek Campus Veteran Trades Fair – May 31st, 2024
- Project Homeless Connect Stand Down – July 12th, 2024
- Fall 2024 Employing U.S. Vets Virtual Conference – October 10th, 2024
- Oregon Military Department / Oregon National Guard 2024 Labor Summit – 11/14/24

3. Partnerships

Working with other Veteran Workforce Development Services is key in ensuring our veteran career seekers are fully supported in their endeavor towards registered apprenticeship. BOLI works weekly with the Oregon National Guard (ONG), Service Member Family Support, Education and Employment Counselors (SMFS, EEC/State Program), and the Disabled Veterans Outreach Program (DVOP/Federal Program) by connecting veterans interested in apprenticeship to these resources to receive support on preparing their applications for trade careers.

In addition, BOLI connects veterans with the U.S. Department of Veteran Affairs, Community Employment Coordinator, to receive guidance on best practices when it comes to job interviews, resume preparation, and job seeking. Working closely with our partners in this manner not only supports the veteran career seeker towards apprenticeship but it also allows them the ability to receive

support in other areas of the workforce, enabling a holistic approach towards employment/career seeking.

In 2022 and 2023 BOLI provided Training at the “Jobs for Veterans’ State Grant Annual Training”. This training was given to approximately 60 DVOP Specialist and Local Veterans' Employment Representatives (LVER) Statewide with the intent to give best practices on assisting veterans interested in apprenticeship in the areas of resume building, job interviews, and navigating BOLI’s program standards. Arming outreach programs with this knowledge gives them the ability to work efficiently and effectively with veteran clients they have interested in trades. This Training was also provided in 2024 with the eight Oregon National Guard Service Member Family Support, Education and Employment Counselors. Working with Veteran Workforce Development Services on these best practices enables BOLI and its partners to assist as many veterans interested in the trades as possible. BOLI also attends the monthly Veteran Network Meetings hosted by the Veterans Employment Specialist of the Oregon Employment Department. These monthly meetings include over two dozen individuals who work with veterans on a daily basis to share best practices and new developments within the VWDS Community.

BOLI also participates on the Southern Oregon Trade Careers Expo (2025) Committee and is currently in the process of working collaboratively to put together a Trades event in 2025. Finally, BOLI is currently partnering with the Oregon Department of Veteran Affairs (ODVA) to inform and educate our 170 + Registered Apprenticeship Programs on the new developments of their Veterans Educational Bridge Grant (EGB) that offers existing veteran apprentices the opportunity to receive up to \$5,000 if their education or training program is interrupted. Just in the month of January (2025) our partnership has led to three of our veterans receiving \$5000 each (\$15,000 in total) from the ODVA. We are indeed excited to grow and foster this partnership to increase our success in assisting our veterans most in need.

4. Military Leave Policy

In December of 2024, the Oregon State Apprenticeship and Training Council (OSATC) approved Policy “#2024-01 Military Service Member Apprentices (MSMA) recalled to and returning from Active Service (AS)”. This policy was created by BOLI’s Veteran Outreach Coordinator. The purpose of this policy is to ensure consistency across all registered apprenticeship program operations so that compliance expectations are not adversely affected by apprentice engagement in Active Service. This Policy provides Registered Apprenticeship Sponsors (Sponsors) guidance to ensure that the Uniformed Services Employment and Reemployment Rights Act of 1994 is being properly

implemented within their Program. Further, the Policy guides Sponsors on how to approach Military Service Member Apprentices recalled to and returning from Active Service using the Oregon Apprenticeship Tracking System. Finally, this policy enforces certain protocols to be followed to ensure all Military Service Member Apprentices recalled to or returning from Active Service have employment upon return.

5. Looking Forward

BOLI is proud of the work accomplished by the Veterans Outreach Coordinator, including the new Military Leave Policy, the established VWDS partnerships, and veteran outreach.

In April of 2025 BOLI plans on hosting our first ever BOLI ATD Career Fair for National Apprenticeship Week, which will consist of bringing all BOLI ATD Programs together under one roof to assist the general public (with high emphasis on including veterans) in learning more about the trades and the array of opportunities available in registered apprenticeship. This unique event will give veterans in attendance the opportunity to meet directly with our Program Sponsors and to learn more about the benefits they provide for veterans in registered apprenticeships.

BOLI will also be encouraging all Programs to add application and Post 9/11 GI Bill benefits to their Programs for veterans. It is our hope that by implementing these benefits more veterans will be willing to fully commit to putting in the work it takes to apply. A handful of Registered Apprenticeship Programs currently have application benefits for qualified veterans and the ability to administer the use of the Post 9/11 GI Bill within their Program. The Programs with application benefits give qualified veterans a greater advantage entering into a Program and the Post 9/11 GI Bill allows veterans the opportunity to earn phenomenally more while they learn as an apprentice. BOLI's goal this year is to conduct outreach to all Registered Apprenticeship Programs that do not currently provide these benefits for veterans and encourage/assist them with implementing it.

Veterans have already proven they have the discipline of meeting the early wakeup call to be on a jobsite and the experienced execution of doing on-the-job training and classroom related training (to become a subject matter expert at their Military Occupational Service). These soft skills are what every employer desires their apprentices to have. We believe if we can successfully promote/highlight these values veterans bring to apprenticeship we can potentially have 100 percent of Programs on board providing these benefits for qualifying veterans. The future looks bright for veterans in apprenticeship, and we are excited to continue playing a big part in that.



CHRISTINA E. STEPHENSON
Commissioner of the
Bureau of Labor and Industries

December 4, 2023

Senator Elizabeth Steiner, Co-Chair
Representative Tawna Sanchez, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE H-178 State Capitol Salem, OR 97301

Dear Co-Chairs,

The Budget Report for Enrolled Senate Bill 5515 (2023) directed the Bureau of Labor and Industries to provide a report to the Interim Joint Committee on Ways and Means related to the below performance aspects of the Bureau's Civil Rights Division.

1. Recruitment and Retention Difficulties: Further details on the specific challenges faced in recruiting qualified applicants for Civil Rights Investigator positions including reasons for multiple failed recruitments and the steps being taken to address this issue. Further details on specific retention issues including pay disparity and updates on the current Department of Administrative Services classification and compensation study.

Overview of recruitment and retention difficulties

The Division's recruiting and retention challenges manifest themselves in several ways, but two examples are particularly illustrative. First, the Bureau experiences significant difficulty recruiting qualified candidates for Civil Rights Investigator 1 (intake) positions, and second, the Bureau experiences retention issues with the Civil Rights Investigator 2 classification that are primarily based on pay disparity.

Civil Rights Investigator 1 (Intake) Positions

The Civil Rights Investigator 1 position is among the most difficult to recruit for because the position pays much less than comparable positions.

The Civil Rights Investigator 1 (CRI1 or "intake") is the lower level of the two investigator classifications. The CRI1 is a salary range 21 on the state salary scale, with a monthly salary ranging from \$3,790 (\$45,480/year) to \$5,771 (\$69,252/year)1 Salary range 21 begins only 5% higher than the salary of an Administrative Specialist 2 (salary range 20). This structure effectively limits interested candidates to those whose experience does not align with the demands of the position.



Civil Rights intake work is intense and challenging – it requires expert-level knowledge of more than 50 different state and federal protected classes that may be the basis for a complaint filed with the Division. Not only must intake staff be intimately familiar with hundreds of state and federal laws, covering more than 50 different protected classes and changing yearly, but these staff members must also be able to identify possible bases for complaints when given unclear or inconsistent information from members of the public, who likely have no familiarity with what laws may apply to their particular situation. This skill set is learned through extensive experience or advanced education. Comparatively, under the same collective bargaining agreement, paralegals are designated as salary range 26 (\$4776-\$7,327/month; \$57,312-\$87,924/year).

It is nearly impossible to fill a position that requires the skills of a paralegal when the salary offered is at least 20% less than a paralegal makes outside of the agency. Consequently, when CRI1 positions are filled, they are frequently filled at a level that is not commensurate with the work. This results in a workload increase as more mistakes take time to correct, and the increased workload makes the positions even less desirable for recruitment and retention. Additionally, the errors that occur due to the relatively low classification and a higher level of work slow down the claim processing time. If the incorrect violations are drafted in the complaint, the investigator must redo the work that should have already occurred.

In FY23, the Division attempted to fill Civil Rights Investigator 1 vacancies twice. Both recruitments failed due to a lack of qualified candidates. As described above, the applicants for the position did not have the required skill sets to succeed in the role as they were predominantly looking for their first "professional" position.

In the first recruitment, the highest-scoring candidate at the written assessment stage was a massage therapist with no relevant experience, with a score of 65/100 total points. For reference, successful candidates generally score in the 85-95% range on the written assessment. The second recruitment similarly had underqualified candidates, despite updated questions for applicants geared toward legal, writing, and other related experience. One recent law school graduate applied but accepted another position before moving forward in the application process. The next highest-scoring candidate was a high school volleyball coach with no relevant experience. This recruitment also failed due to a lack of qualified candidates. Following the two failed recruitments, a former BOLI employee who had worked in the Division's intake unit expressed interest in returning to work part-time. Due to the difficulty filling this position, that person was hired to fill a temporary position in May 2023.

Civil Rights Investigator 2 (Investigator) Positions

The Civil Rights Investigator 2 position is among the most difficult to retain because people often leave the position for higher pay after gaining experience at BOLI.

The Civil Rights Investigator 2 (CRI2 or "investigator") is the higher level of the two investigator classifications. In addition to identifying 50+ state and federal protected characteristics and laws that change yearly, investigators must apply those laws to facts that surface from various sources. Due to the low salary compared to the skill set required for this position, turnover of investigative staff has continually impacted the success of the Division. Investigators tend to move on to higher-paying but otherwise similar roles after gaining experience in the Division.



The salary-skill discrepancy has been magnified increasingly as other entities, including other State of Oregon agencies, are provided with resources to support this critical work. Further, as other entities have placed more emphasis on establishing internal investigatory capacity for their workplaces, there are more opportunities available outside the Division to perform the same functions effectively with a higher salary and with a much smaller scope of work. Most other entities with similar positions focus only on internal civil rights investigations. That means the number of potential complaints and cases is limited to the number of employees or customers of that particular entity and to the more limited number of laws that apply in those instances. This narrower scope, coupled with notable salary differences, makes it exceptionally difficult to retain skilled investigators because they can find higher pay and decreased caseloads at other places of employment.

The lack of ability to recruit and retain investigators means that retained investigators are beleaguered, picking up the slack of revolving positions. In addition, the training for investigators takes many months, so a person in a position will not be productive at the expected rate until they are fully trained. Effectively, this Division is only partially staffed, even when all positions are filled.

Inadequate Staffing of Other Positions

The agency's lack of adequate human resource capacity has also strained the Division. For example, one mid-level Human Resources professional was tasked with supporting the needs of approximately 150 employees. For the organization's size, it is estimated that the agency needs four HR professionals. This lack of capacity has meant that recruitment is a lengthy process, as only one individual was working to complete the many recruiting functions for new positions in CRD and across the agency. New positions are even more challenging to fill with limited human resources capacity as they must go through a position description process with DAS that can be lengthy. Further, previous disinvestment in human resources capacity has contributed to an environment in which not all employees felt welcome and supported, resulting in turmoil and turnover.

DAS Class/Comp Analysis

In light of the above, the Bureau has engaged with the Department of Administrative Services to better align the work of the Division with the appropriate positions. This process utilizes DAS' Class and Compensation expertise to holistically evaluate the needs of the Division and the positions that can support that work. The goal of this process is twofold: having a sufficient number of positions to meet the continually increasing demand for services and appropriately classifying positions so qualified candidates can fill them. Through this engagement with DAS, the Division is currently determining how best to reorganize and reclassify existing positions to suit the scope and volume of work better. This process has involved identifying positions that may not currently be used to their highest potential and assessing how those positions could be evolved into roles that will better serve the Division and the people of Oregon. The process has also involved considering different classifications for existing positions that will predominantly remain unchanged but are currently classified in a way that does not accurately encompass the work that must be performed.

Salaries of Comparable Positions

Intake:

- Oregon Bureau of Labor and Industries: \$45,480/year to \$69,252/year
- OHSU Civil Rights Intake Specialist: \$74,194 to \$118,539 (as of 9/9/23)
- State of Oregon paralegal: \$57,312-\$87,928/year

Investigator:

- Oregon Bureau of Labor and Industries: \$57,312-\$87,928/year
- City of Portland ADA/Civil Rights Complaints Investigator: \$70,220.80-\$116,792.00/year (as of 5/22/23)
- City of Portland Risk Specialist: \$70,211-\$116,792/year (as of 10/3/22)
- Oregon Department of Education Civil Rights Specialist: \$67,884-\$104,256/year (as of 10/4/23)
- Multnomah County Workplace Investigator: \$72,173.41-\$108,261.31/year (as of 10/3/22)
- Oregon Health Authority Civil Rights Investigator: \$66,708-\$98,376/year (as of 10/26/20)
- Washington County Employment Investigator: \$90,421.80 - \$115,354.92/year (as of 10/9/22)

Manager:

- Washington County Civil Rights Officer: \$103,263.36-\$131,746.44/year (as of 10/9/23)
- TRIMET Civil Rights Manager: \$89,803.00-\$134,705.00/year (as of 12/9/22)

Administrator:

- OHSU Office of Civil Rights Investigations Director: \$131,372.80 - \$223,308.80/year (as of 9/9/23)

2. Impact of Unfilled Positions: Provide an explanation regarding the impact of the unfilled Civil Rights Investigator positions on the completion of investigations. This should include data on actual investigator labor hours to date over a six-year period and workload (cases). Include information on strategies being employed to mitigate the effects of these vacancies.

Current Vacancies

Due to marginally increased HR capacity and this year's intense focus on filling positions immediately to address the workload, there is currently only one vacant Civil Rights Investigator 2 position. With the intake backlog and need for reorganization, the position itself may remain vacant while the budget the position represents is deployed to backlog reduction.

There is one vacant Civil Rights Investigator 1 position. As noted above, this position is currently offset by a temporary employee, so the position is effectively not vacant.

However, as mentioned above, due to the near-constant turnover and the time needed for new employees to perform at their full potential, this Division is never fully staffed, even when all positions

are filled. Having no vacancies at any given time is not, on its own, indicative of the challenges with recruitment and retention. Over the last three years, before the most recent failed recruitments, the Division has hired four separate people to fill a single Civil Rights Investigator 1 vacancy in the intake unit. Two of the individuals who were hired remained employed with the Division for less than one month each before finding employment elsewhere.

Turnover has also been a chronic challenge for the Civil Rights Investigator 2 classification, as employees frequently move on to higher-paying positions once they gain experience. For instance, Multnomah County's Protected Class Complaint Investigation Unit, which was just created in 2019, comprises four investigators and a manager, all of whom are former BOLI Civil Rights Investigators. Former BOLI employees have also accepted positions with Oregon Health Authority, the City of Portland, Washington County, and Oregon Health & Science University (salaries referenced above for comparison). Sixty percent of investigators currently employed with the Division have been hired within the last four years—the Division on average, turns over four investigator positions per year.

Even beyond the investigator classifications, the Division, while able to fill positions, is constantly faced with vacancies. The Division is similarly new to BOLI, with 62% of Civil Rights Division employees being hired within the last four years. One hundred percent of managers have been hired to their positions within the previous four years. The Division has had three different administrators during this same timeframe, including seven months with no administrator and three years with two separate interim administrators. The Division has also hired five different investigations managers for two positions within the last four years, including a four-month period where both positions were vacant, a 20-month period where one employee was both an investigations manager and the interim administrator, and a 16-month period where one employee was both the chief prosecutor and interim administrator.

Similarly, while the positions may be filled, the Division is regularly unable to hire the top candidate because they decline offers of employment due to the offered salary. For example, of the 15 investigators hired within the last four years, seven were not the top candidate at the end of their recruitment and were hired only after the leading candidate declined the offer. This issue also persists in other work units in the Division – while recruiting for an administrative staff position, seven candidates declined offers, and the eventual successful candidate, who was hired less than one year ago, has now accepted a different position.

Labor Hours

The amount of time needed to investigate each case varies, with some requiring two hours or less of work and many requiring 50 or more hours of work. To investigate all cases fully, investigators would need to work approximately 3,700 hours per year, which is nearly double the actual working hours available (2080 work hours – 80 to account for estimated vacation and sick leave).

Figure 1, below, compiles intake-related data over the past six years. The table identifies the number of questionnaires received, the number of intake staff reviewing those questionnaires, the number of questionnaires the intake staff can process, as well as the remainder of questionnaires creating the intake backlog.

Figure 1: Intake

Fiscal Year	Questionnaires	Intake Staff	Potential Number of Intakes per year (4 hours/intake and 10 intakes/week)	Number unable to process each year/ cumulative amount unable to process
2018	2381	2	2080	301 / 301
2019	2604	2	2080	524 / 825
2020	2554	2	2080	474 / 1299
2021	3009	3	3120	111 / 1400
2022	3748	3	3120	628 / 2028
2023	4968	3	3120	1848 / 3876

Figure 2, below, compiles investigation-related data over the past six years. The table identifies the number of cases closed, the number of investigators processing those cases, the average number of hours spent investigating those cases, as well as the number of additional hours it would require to conduct a “complete” investigation.

Figure 2: Investigation

Fiscal Year	Cases Closed	Investigators	Avg. Hours per Case (2000 hours/year)	Hours less than a “complete” ¹ investigation for each case
2018	1786	17	19	21
2019	1850	17	18	22
2020	1355	18	26.5	13.5
2021	1755	17	19	21
2022	1732	19	22	18
2023	2069	23	22	18

Mitigating effects of vacancies

As indicated in **Figures 1 and 2**, the Bureau's current position authority is not meeting the demand. Historically, the Bureau has managed a shortage of Civil Rights Investigator 1 positions by running an intake backlog and the shortage of Civil Rights Investigator 2 positions by conducting "less-than-complete" investigations. Thus, while it is important to address both turnover and vacancies, it is useful to remember that they occur in a broader context of high turnover and unsustainable caseloads.

¹ “Complete” is defined as an average of 40 hours to interview Complainant, Respondent, witnesses, review documentary evidence, subpoena evidence, and write a dismissal or substantial evidence determination. The Division would need approximately double the investigators for all filed cases to obtain a “complete” investigation.



As mentioned above, there is one Civil Rights Investigator 2 vacancy. Investigators are assigned approximately 90-100 cases per year, meaning that there will be an additional 4-5 cases assigned to each investigator due to the vacancy. One strategy that will mitigate the effect of this vacancy and contribute to more efficiency is the reimplementing of the expedited investigation procedure described below; this is intended to reduce the time needed to investigate cases in which there is not likely evidence of the alleged violations.

After two failed recruitments and the general hiring difficulties described above, the effects of the vacant Civil Rights Investigator 1 have been mitigated by hiring a temporary employee to help work through the backlog of questionnaires. The Division also engaged with an outside consultant, described below, to assist with streamlining the intake process to better meet the demand.

3. Investigation Backlog: Update on progress of reducing the civil rights case backlog.

The investigation process for cases filed with the Civil Rights Division effectively has two phases: intake and investigation. The backlog explained to the legislature in 2023 was primarily related to intake. There are thousands of Oregonians waiting approximately six months for their complaint to be drafted, leaving a scant six months for investigators to investigate, given the statutory one-year allowed for investigation.

To initiate the process, a member of the public submits a "questionnaire" identifying the discrimination they believe they have experienced. Each questionnaire is assigned to a staff member for review to determine whether the allegations may be within the statutory jurisdiction of the Division to investigate. Every single questionnaire is reviewed and responded to by an investigator (to address the backlog, this now includes both levels of civil rights investigators). When a questionnaire identifies issues over which the Division may have jurisdiction, the intake investigator must contact the submitter to collect any additional information necessary and then draft a formal complaint of discrimination that will be the basis of the investigation.

The intake backlog has ballooned over the years, as demonstrated in **Figure 1**. In FY2020, the Division received approximately 2500 questionnaires. In three short years, this number has doubled, with approximately 5000 questionnaires received in FY2023. Over the past several years, the backlog has increased each year.

To address the backlog, this administration has taken several steps. First, we prioritized changes to the outdated database and complaint portal. By the beginning of next year, drafting complaints will be more efficient and should take less time. We are seeking additional investments from the legislature for improving this end-of-life database to further reduce errors and manual data entry that takes enormous amounts of staff time. The Division has also started new procedures that help identify what level of engagement a Complainant desires from their contact with BOLI; some Complainants simply want to have a letter sent to their employer and some decide they don't want to pursue complaints at all, the new procedures allow the Division to allocate resources accordingly.

In addition, the Civil Rights Division has engaged with an outside consultant who specializes in streamlining the intake process for law firms to generate the attached report. **Exhibit 1**. The process

resulted in a determination that the only solution to the intake backlog that the Division is not currently undertaking, is additional financial investment in staff and technology.

Finally, as noted above, BOLI is engaging in a holistic process with DAS to identify how to support the work of the Division through restructuring the positions within the Division.

Simply put, if the Legislatively Assembly intends for an intake process that is thorough, accurate, and timely, and for each complaint filed with the Bureau to be fully investigated, it can only achieve those goals by investing in the work of the Division and providing additional resources needed to meet the public's demand for services.

4. Impact of New Staff and Training: Describe how new investigative staff are integrated into the Civil Rights Division, including the training and guidance provided to new investigators to expedite their transition and enhance their investigative skills.

New investigative staff have a six-month onboarding period designed to orient them into their new roles while introducing them to all the necessary skills and knowledge. New investigators begin with intake assignments to familiarize themselves with the many laws the Division enforces, use the database, and work with the public on their civil rights claims. As investigators become more familiar with the body of work, they slowly transition to receiving fewer intake assignments and more investigations. This usually takes a month or two, but the length of time varies based on the new employee's needs and existing experience.

As investigators transition into the role of primarily conducting investigations, they will be assigned new cases and transferred cases from other investigators in various stages of the investigation process. This allows the new investigator to experience cases with different requirements, as well as team up with a more seasoned investigator who is personally familiar with the case and can provide support and guidance on how to conduct the investigation.

At the end of six months, which coincides with the trial service period, a new investigator will have completed all stages of the investigation process, written different types of factual determinations, and had hands-on experience conducting investigations alongside more senior staff. The result is experienced, well-rounded investigators appropriately prepared to investigate most cases.

5. Expedited Investigation Procedure: Detail on the recently implemented procedure for expedited investigation of non-meritorious cases and its expected impact on investigation timelines including data or examples showcasing the anticipated improvements resulting from this change.

With management approval, the expedited investigation or triage procedure allows investigators to assess the evidence in a case and spend less time investigating cases that cannot be effectively investigated in light of the Division's limited resources. This procedure was in place for many years, during which time the Division consistently met or exceeded key performance measures related to length of investigation. In late 2019, this procedure was eliminated. **Figure 3**, below, shows this

procedure has effect on investigation times, as they have continued to increase since early 2020. The table identifies the average length of an investigation and the percent of those investigations completed within 180 days.

Figure 3: Average length of investigations

Fiscal Year	Avg. Investigation Length (Days)	% of Investigations Completed in <180 days
2017	137	74%
2018	128	75%
2019	131	76%
2020	171	64%
2021	223	38%
2022	225	32%

This procedure was reintroduced in mid-2023. Data that reflects the anticipated changes in lengths of investigations is not available at this time. This is to be expected due to the cyclical nature of the workload – it takes approximately one year to start seeing the effects of procedural changes because all cases that were open at the time of the change must filter out of the system so that data reflects, effectively, a fresh cycle. However, it is clear from historical data that the expedited investigation and triage procedure positively influences the time needed to conduct investigations. It allows the Division to focus resources on the cases that need them the most and where the Division can be most effective.

Further, the legislature has changed the KPM for length of investigation to include a tiered metric, requiring 40% of cases to be completed within 180 days, 65% of cases completed within 240 days, and 100% of cases completed within 365 days. This updated KPM is meant to acknowledge the importance of this work that is being done. Investigations should not be measured by quantity but by quality. While it is of utmost importance to complete investigations in a timely manner, what is "timely" is different for every case, and it is a disservice to the people of Oregon to prioritize speed over accuracy when we are investigating their allegations of discrimination and retaliation. The tiered length of investigation KPM gives investigators flexibility to have cases open longer when they need more time to gather the information necessary to make an informed and accurate determination while still incentivizing the closure of cases for which extensive investigation is not required.

Conclusions

The resources of the Division have been consistently cut since the 1980s, leaving the agency about half of its previous size. Over the past three biennia, however, the legislature has gradually increased its investment in the agency. It will take significant, sustained investment for BOLI to meet Oregonians' record needs. BOLI is the state's sole civil rights agency serving the entire population of



Oregon. In addition, the legislature has given Oregonians rights that can only be enforced through BOLI. In order to ensure that the laws passed by the legislature are enforced and that bad actors do not have a competitive advantage in this state, BOLI will continue to need investment by the legislature.

Sincerely,



Christina Stephenson
Labor Commissioner

Enc: as stated

Oregon Bureau of Labor and Industries, Civil Rights Division Intake Process Initial Assessment Report

John E. Grant
Agile Attorney Consulting
August 22, 2023

Overview

In June 2023, I conducted a brief initial assessment of the Oregon Bureau of Labor and Industries Civil Rights Division intake process, with an eye towards understanding the scope and nature of the intake backlogs. This assessment consisted of conversations with Leila Wall, a review of intake team data provided by the division, a team retrospective with the intake team and other stakeholders within the Civil Rights Division, and observations during a 2-day Kanban Process Improvement training with members of the Civil Rights Division.

Retrospective Findings

The team retrospective consisted of semi-anonymous¹ answers to the three questions of an Agile retrospective: What is going well that we should keep doing? What is not going well that we should stop or change? and What should we try that is new or different? Each participant developed individual answers to each question (taken in turn) over a 2-3 minute independent work period in order to encourage individual ideation and broaden discussion. The team then spent 15-20 minutes grouping and discussing each answer to find commonalities and uncover more detail about common answers.

Below is my summary and interpretation of the answers to each question.

¹ Participants in the room knew which people made comments or observations, but identifying information was internationally not preserved in meeting artifacts

Question 1: What is going well that we should keep doing / preserve?

Team members identified a supportive work environment, good communication, positive team dynamics, and a lack of micromanagement. People were generally happy with their work-life balance through flexible hours and remote work options. One team member praised the “stick-to-it-iveness” of the team, especially through the elevated case loads and turbulence of the pandemic.

The team was also generally positive about the shift towards new technologies, such as electronic filing and the use of DocuSign for signatures (although technology challenges also came up later). Other initiatives, including changes to the intake questionnaire and the Survey Monkey project, showed promising progress.

Question 2: What is not going well that we should stop or change?

Despite the positives concerning communication identified above, the team felt that the communication remained a challenge. Several comments reflected a feeling that the division's work was overly siloed across different functions, leading to a perceived hierarchy among the civil rights division teams. Individual contributors expressed a desire for more involvement in management decision-making and clearer internal communication about these decisions. Team members also identified a need for clearer job duties, policies, and workflow procedures, both within individual teams and as cases flow from one team to the next.

One particular answer — “too many touches” — received a lot of discussion and agreement that process inefficiency overall is a significant problem. Similar answers included “lack of clear policies and procedures,” “too many emails,” “unclear job duties,” “too much human error,” and “insufficient new employee training.”

Several comments reflected a 'traumatized workforce' still recovering from the pandemic's impact, its influx of new questionnaires and cases, and the continuing backlog. The team generally felt that key roles were still understaffed, both in

management and for individual contributors. This led to “stress because I can never get everything done.”

The team identified specific workflow problems caused by insufficient detail being captured by the (then-current) intake questionnaire and only limited information being provided to complainants regarding the basis and process for the CRD to perform an investigation. This has frequently led to a need for multiple back-and-forth conversations between CRD staff (both intake and investigators) and the complainant, where each round of communication adds time and overhead to the overall process. The team was hopeful that planned changes to the intake questionnaire would help, but believed that many more improvements were needed to improve the amount of information they receive from complainants, automated information that could flow back to a complainant regarding the status of their matter, and the information available to the public about the complaint process in general.

The shift to electronic case file management and the Impact database elicited mixed feelings. Some staff missed paper files, while others had complaints about the Impact database. One team member also reported that internet connection issues during remote work were affecting efficiency.

Question 3: What should we try (or continue) that is new or different?

Many of the suggestions for improvements reflected a need for better communication with individuals filing questionnaires or complaints. Team members suggested using automated emails to communicate filing status and substantive information to complainants, improving the roadmap to communicate the overall process, and providing additional navigation and substantive information on the BOLI website.

The team again highlighted the need for more staff, especially in the intake team. They also proposed more cross-division meetings and team-building efforts to address perceived silos within the division.

The team recommended several technological enhancements, such as continuing to improve the questionnaire on the website, improving the Impact database, and creating an online portal for complainants to check their complaint status.

One other suggestion that elicited discussion was to allow some complainants to draft their own complaints to free up staff for more advanced investigatory work.

Intake Team Data Analysis

Based on data provided by the Civil Rights Division management,² it is clear that demand for Division resources since the start of 2022 has exceeded the capacity of those resources. This is especially stark for the intake team.

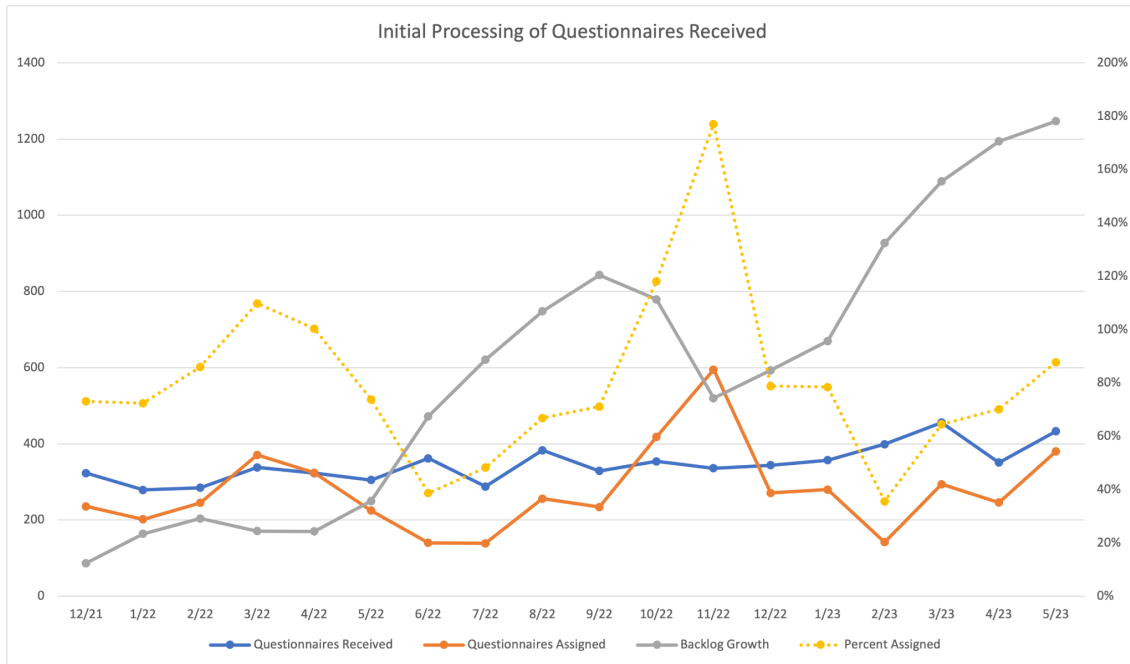
Intake Backlog Growth

The three month rolling average of new questionnaires received grew from 296 in February 2022 to 413 in May 2023, a 40% increase. During that time, an average of 69 questionnaires were added to the backlog each month, despite a successful push to reduce the backlog by 195 cases in October and November 2022.

The backlog grew despite a 35% increase in the three month rolling average of questionnaires assigned to an intake team member over the same time period (from 228 questionnaires assigned to 307). Taken independently, the intake team's increased productivity should be considered a substantial success; the rolling average reached 428 during the late-2022 backlog production push. Unfortunately, this success is masked by the unrelenting growth in demand as represented by new questionnaires received.

² See Appendix A

Initial Disposition of questionnaires received



Ramifications of the Backlog Growth

Based on interviews with intake team members and managers, the excess growth in demand (in the form of new questionnaires submitted) relative to capacity leads to several suboptimal outcomes.

1. Processing questionnaires in an “out of order” manner.

In an ideal situation, the intake team would process questionnaires in a first-in, first-out (FIFO) order, i.e. questionnaires would be processed in the order in which they are received. This would provide maximum fairness to people submitting questionnaires, and would help create consistency in the period between when questionnaires are received and when they are processed.

For a variety of reasons — including statute of limitations concerns — the large backlog creates some incentive for the intake team to give preference to

questionnaires with older instances of alleged misconduct. Not only does this require additional processing time to determine how to prioritize cases (as opposed to a FIFO approach), it can create a situation where people who procrastinate filing their questionnaires get faster response times than those who make timely filings.

2. Ballooning Wait Times for Newly Received Questionnaires

While the data set reviewed does not contain processing time on a per-questionnaire basis, we can use Little's Law³ to predict how growth in the backlog leads to growth in the total wait time. According to Little's Law, the average wait time (W) for a unit of work in a system is equal to the average number of items in queue for that system (L) — i.e. the backlog — divided by the average arrival rate of new items into the system (λ).

$$W = L \div \lambda$$

Even without knowing the actual wait times for the CRD intake team to process questionnaires, we can calculate the average wait time for a single questionnaire to be roughly 10 times longer in May 2023 (approximately 86 days) than it was in December 2021 (approximately 8 days).⁴

Recommended Next Steps

Based on the feedback from the team retrospective, conversations with team members, and a preliminary analysis of available data, I offer the following recommendations for the Civil Rights Division to improve (or in some cases continue to improve) its processing of questionnaires and subsequent complaints:

³ https://en.wikipedia.org/wiki/Little%27s_Law

⁴ The backlog size (L) in December 2021 was 87 questionnaires and the arrival rate (λ) was 323 questionnaires per month, which puts calculated wait time (W) at .27 months (~8 days). The backlog size (L) in May 2023 was 1,247 questionnaires and the arrival rate (λ) was 433 questionnaires per month, which puts calculated wait time (W) at 2.88 months (~86 days).

(1) Continue the strategy of right-sizing the Intake team to manage the growing workload of new questionnaires.

Although the Intake Team has made laudable strides in its productivity in the face of a growing number of questionnaires, it is unrealistic to expect that the current backlog can be managed without adding additional members to the team.

(2) Continue efforts to improve the questionnaire submission form and process, but do so with an eye towards improving user experience and education.

Based on initial feedback from intake team members, the recent changes to the intake questionnaire form on the BOLI website to encourage complainants to provide more information when submitting questionnaires has helped improve the quality of initial questionnaire submissions. Anecdotally, intake team members report that this improved quality means that they need to spend less time engaging in back-and-forth communications with complainants to gather sufficient information to make a determination whether to draft a formal complaint.

Based on a preliminary review of the revised intake questionnaire, however, I have some concerns that the design, functionality, and usability of the new form may create barriers to access that could discourage people with otherwise valid complaints from completing the questionnaire process. The Bureau should consider engaging the services of a Usability, User Experience, or Interaction Design professional to conduct a heuristic evaluation⁵ of the online intake questionnaire and recommend improvements.

Ultimately, the division will need to make policy decisions⁶ that balance public accessibility with the need to improve the quality of information contained within questionnaire submissions prior to devoting intake team resources to processing the questionnaire. Once a policy is developed and implemented, the agency can use accessible design and user experience principles to increase accessibility in a way that doesn't overburden its intake and investigation resources.

⁵ "Heuristic evaluation is a process where experts use rules of thumb to measure the usability of user interfaces in independent walkthroughs and report issues. Evaluators use established heuristics (e.g., Nielsen-Molich's) and reveal insights that can help design teams enhance product usability from early in development." see <https://www.interaction-design.org/literature/topics/heuristic-evaluation>

⁶ This is consistent with the "make policies explicit" prong of the Kanban Method.

(3) Implement a kanban-based workflow management system (or ticketing system) to manage and track the status of cases through the intake and complaint processes.

Modern support teams have increasingly turned to kanban-based visual management systems like Kanbanize, Jira, ServiceNow, etc.⁷ to track work progress, visualize dependencies, capture workflow data, and accelerate the delivery of customer value. These tools can also help support teams track and triage different case types, create and manage service level agreements (SLAs) for predicting time-to completion of work stages, and enhance communication among team members and across teams.

Once established and tested, a well-designed ticketing system would also serve to push status updates to complainants (people who have submitted a questionnaire or are in the investigation process), potentially reducing the need for BOLI personnel to respond to status requests (which were identified in the team retrospective as a source of low-value-added work).

Ultimately, a well thought-out ticketing system could form the backbone of a broader dispute resolution management system, similar in concept to the British Columbia Civil Resolution Tribunal⁸ (the gold-standard for collaborative online dispute resolution implementations).

(4) Continue to utilize the Kanban Method (and related Lean and Agile methods) to engage in process and operations improvement.

Regardless of when or whether the intake and investigation teams are able to adopt a kanban-based workflow management system, the Division can still use the tenets and teachings of the Kanban method to continue to make systemic improvements. Specifically, the Division should continue efforts to document and improve internal workflow policies and procedures, to limit in-progress work to the actual carrying capacities of its teams, to use data to measure and encourage the flow of work through

⁷ Some ticketing systems like Jira and Azure DevOps are designed around technology development teams, others like ServiceNow or ZenDesk are designed for customer service and support applications. Still others (Kanbanize, KanbanZone, Asana) are more general purpose. Part of any transition to a kanban-based system would be requirements definition and system selection.

⁸ See <https://civilresolutionbc.ca/>. The Civil Resolution Tribunal currently provides self-help information and dispute resolution services for homeowner association disputes (known as “strata disputes” in Canada), small claims, and certain motor vehicle accidents.

its processes and systems, and to engage in collaborative efforts to increase flow and accelerate the appropriate resolution of complaints.

Appendix A: CRD Intake Data December 2021 to May 2023

intake data																				
questionnaires received 12/21-5/23	6251																			
*6/20-11/21	4888																			
questionnaires assigned 12/21-5/23	4998																			
*6/20-11/21	4440																			
cases opened 12/21-5/23	2572																			
*6/20-11/21	2432																			
complaints drafted, not returned 12/21-5/23	1026																			
*6/20-11/21	810																			
Signed complaints received 12/21-5/23	1500																			
*6/20/11/21	1800																			
monthly stats																				
	12/21	1/22	2/22	3/22	4/22	5/22	6/22	7/22	8/22	9/22	10/22	11/22	12/22	1/23	2/23	3/23	4/23	5/23	total	
qrec	323	279	285	338	323	305	362	288	383	329	354	336	344	357	399	456	351	433	6245	
QA	236	202	245	371	324	225	140	139	256	234	418	595	271	280	142	294	246	380	4998	
difference (what turns into backlog)	87	77	40	-33	-1	80	222	149	127	95	-64	-259	73	77	257	162	105	53	1247	
NJ letters sent	137	233	137	155	147	66	100	139	103	103	169	236	244	202	116	100	107	191		
complaints drafted	155	139	125	252	218	136	131	118	154	172	166	156	153	155	113	131	146	101		
complaints revised	10	21	20	28	27	18	22	13	13	24	16	15	15	17	10	13	23	12		
total activities	302	393	282	435	392	220	253	270	270	299	351	407	412	374	239	244	276	304		
signed complaints received	52	72	93	95	146	84	103	78	69	77	77	76	90	87	76	64	66	95	1500	
cases opened	87	52	88	171	115	161	157	87	62	93	62	80	109	37	142	248	100	122		
individual data (anonymous)																				
	intake 1	intake 2	intake 3	invest 1	invest 2	invest 3	invest 4	invest 5	invest 6	invest 7	invest 8	invest 9	invest 10	invest 11	invest 12	invest 13				
complaints drafted since 12/1/21	572	586	601	83	21	62	22	73	91	35	53	34	39	29	63	15				
NJ letters sent since 12/1/21	672	379	558	84	10	188	41	107	86	25	24	35	14	11	73	39				