

## Employment Security Account (ESA)

### What is the Employment Security Account?

The ESA supports services that enable Montana job seekers to find jobs and Montana employers to find qualified individuals to fill job openings. The fund provides services that help train the unemployed and provides employers with skilled workers. In addition, it funds programs that facilitate resolution of employment disputes.

### Workforce Service Division DP-1

The executive is proposing a funding switch from the one-time distribution of Reed Act funds and replacing them with general fund of \$363,000 each year. In the 2003 Legislative session, general fund was replaced with ESA funds and back filled with Reed Act funds in the Jobs for Montana Graduates and Displaced Homemakers programs. The decision package is also requesting a funding switch from Reed Act funds to ESA of \$241,000 each year for operational expenditures.

### What is the Jobs for Montana Graduates program?

The Jobs for Montana's Graduates (JMG) program was created in 1990, with intent to assist Montana high school students to stay in school, graduate, and successfully transition from school to work. The four key elements of this program are as follows:

- Job Specialists, who take the responsibility for the success of JMG students enrolled in local programs
- Competency-based instruction including units on career planning and decision-making, job seeking, job retention, basic academics, leadership and self-development and personal skills
- A motivational student organization (Montana Career Association), which fosters the development of self-esteem, leadership, and assertiveness skills and provides recognition for positive achievement
- Job development and placement

During FY 2004 JMG is operating 41 programs. Two of these programs are dropout recovery and 39 are in-school programs, including 8 schools located on Montana's Indian Reservations, and 6 alternative schools. This program provides classroom instruction and work-base learning opportunities to students in grades 9-12 and dropouts ages 16-18. Currently 600 students will be served in JMG's in-school programs and approximately 250 students will be served in JMG's out-of-school programs.

### What is the Displaced Homemaker program?

The state Displaced Homemaker program is established in Title 39, Chapter 7, part 3, MCA, with a stated legislative intent, "to provide necessary counseling, training, jobs, services, and health care for displaced homemakers so they may achieve independence and the economic security vital to a productive life."

The definition of Displaced Homemaker is an adult who has worked as an adult primarily without remuneration to care for the home and family and for that reason has diminished marketable skills and who has been dependent on public assistance or on the income of a relative but is no longer supported by that income or a parent whose youngest dependent child will become ineligible to receive financial assistance within 2 years of the parent's application for displaced homemaker assistance, is unemployed or underemployed and is experiencing difficulty in obtaining any employment or suitable employment, as appropriate.

**Commissioner's Office DP-3**

The executive requests restoring general fund of \$56,000 per year to the Hearings Bureau

**What is the Hearings Bureau?**

The hearings bureau holds impartial administrative hearings and provides dispute resolution services in unemployment insurance cases, wage and hour claims, public employee collective bargaining and unfair labor practice cases, state employee classification and grievances, uninsured employer regulatory matters, and human rights complaints.

**Employment Relations Division DP-2**

The executive request restoring general fund of \$193,500 each year for the Human Rights Bureau.

**What is the Human Rights Bureau?**

The Human Rights Bureau enforces the Montana Human Rights Act and Governmental Code of Fair Practices through investigations, conciliation, hearings, and education. This responsibility endeavors to prohibit discrimination in employment, housing, public accommodations, financing and credit transactions, insurance, education, and government services.

On average, the Human Rights Bureau handles 400 cases annually, with about 75 percent of them dealing with employment discrimination, followed by alleged discrimination in areas of housing and government services.

The Hearings Bureau uses Human Rights general fund for the adjudication of Human Rights complaints submitted to the bureau as a contested case proceeding. In the 2005 biennium, the ESA funds 26 percent of this function. The bureau assigns a hearing examiner who provides dispute resolution and holds impartial administrative hearings regarding these complaints. The hearing is the opportunity of the parties to make a record of the facts in the matter. The hearing examiner presides over the hearing and after hearing, writes the department's final decision. The decision may order any reasonable measure to correct discriminatory practices and correct harm to the persons discriminated against