

WORKERS' COMPENSATION MANAGEMENT PROGRAM

HB2 Language Appropriation Report for the
 Joint Appropriations Subcommittee on General Government

February 2009

Major Objectives:

- Address most significant workers' comp risk areas in state agencies
 - Ergonomic related injuries (poor equipment)
 - Injuries related to lifting and moving (back and neck)
 - Environmental hazards and safe work areas ('sick' buildings, deferred maintenance)
 - Reduce slips, trips, and falls
- Safety mitigation efforts (training and equipment)
- Maintain or reduce experience modification (e-mod) factors
- HB2 Language appropriation serves as the primary safety mitigation tool and the entire safety mitigation budget for the State's Workers' Compensation Management Program

Project Description	Agency	Policy e-mod	Objective	Expended	Risk Assessment
1. Fire extinguisher training system	Administration	0.89	Provide system for training personnel on proper use of fire extinguishers. <ul style="list-style-type: none"> ◦ Address environmental hazard and safe work areas. ◦ Safety mitigation - training. 	\$15,400.00	Mitchell Bldg is an old building with significant deferred maintenance. Several incidents of fire alarms and/or flooding have been experienced during the last two years. This system allowed GSD to efficiently train agency personnel on immediate response to fire.
2. Evacuation system	Administration	0.89	Purchase bullhorn evacuation system for clearing personnel from building. <ul style="list-style-type: none"> ◦ Address environmental hazard and safe work areas. ◦ Reduce slips/trips/falls. ◦ Safety mitigation - equipment. 	\$5,099.00	Mitchell Bldg is old building with significant deferred maintenance. During emergency evacuations safety personnel have been unable to maintain communications and search the entire building or account for all personnel. This system permits all safety personnel to communicate and evacuate personnel timely.

Project Description	Agency	Policy e-mod	Objective	Expended	Risk Assessment
3. GSD Training Programs for Hazard Communication, Back Safety, and Respiratory Protection.	Administration	0.89	<p>Provide training programs and manuals to GSD staff on issues related to:</p> <ul style="list-style-type: none"> o Injuries due to lifting and moving (back and neck) o Environmental hazards and safe work areas ('sick' buildings, deferred maintenance) o Safety mitigation - training o Focus is on maintaining e-mod factor of <1.00 	\$2,292.65	<p>Around the Capitol complex GSD staff work on maintenance issues related to environmental hazards (see Secretary of State Annex) as well as incur injuries related to lifting and moving. This training program series focuses on the particular hazards specifically identified during 2008.</p>
4. Purchase of ergonomic and safety equipment	Montana Historical Society	0.82	<p>Replace unsafe equipment</p> <ul style="list-style-type: none"> o Ergonomic related injuries (replace poor equipment; workstations, chairs, desks, hand rests, document cart). o Injuries due to lifting and moving (back and neck) 	\$15,580.00	<p>For FY09, Montana State Fund identified one of the two highest class code increases was for administrative employees due to ergonomic injuries (repetitive motion and stress injuries).</p>
5. Purchase of ergonomic and safety equipment	Board of Public Education	1.00	<p>Replace unsafe equipment</p> <ul style="list-style-type: none"> o Ergonomic related injuries (replace poor equipment; 4 workstations, 4 chairs, ergonomic wrist rests and mouse pads). o Injuries due to lifting and moving (back and neck) 	\$10,983.28	<p>For FY09, Montana State Fund identified one of the two highest class code increases was for administrative employees due to ergonomic injuries (repetitive motion and stress injuries).</p>

Project Description	Agency	Policy e-mod	Objective	Expended	Risk Assessment
6. Purchase of ergonomic and safety equipment	Department of Livestock	1.04	<p>Replace manual hair clippers for brand inspectors with electric clippers (repetitive motion injuries); purchase 10 metal detectors and supplies.</p> <ul style="list-style-type: none"> o Environmental hazards and safe work areas (biological hazards) o Ergonomic related injuries (poor equipment) o Injuries due to lifting and moving (back and neck) 	\$13,783.25	<p>Brand inspectors must clip hair from an animal to identify brands; replaced manual clippers. When determining if livestock were shot, inspectors used to autopsy the animal and manually inspect the carcass. Metal detectors permit inspectors to survey the carcass without exposure to biological agents or physically autopsying the animal.</p>
7. Purchase of ergonomic and safety equipment	Department of Corrections	0.99	<p>Replace unsafe equipment Ergonomic related injuries (replace 14 chairs, 11 computer monitors, and 6 ergonomic keyboards).</p> <ul style="list-style-type: none"> o Injuries due to lifting and moving (back and neck) 	\$15,254.50	<p>For FY09, Montana State Fund identified one of the two highest class code increases was for administrative employees due to ergonomic injuries (repetitive motion and stress injuries).</p>
8. Purchase of used truck, snowplow and sanding equipment	Department of Public Health and Human Services	0.97	<p>Replace unsafe and ineffective snow removal equipment and Montana State Hospital</p> <ul style="list-style-type: none"> o Reduce slips, trips, and falls o Environmental hazards and safe work areas 	\$13,400.00	<p>Employees at Montana State Hospital in Warm Springs work on a campus. Previously staff were unable to clear sidewalks between facilities and the parking areas sufficiently to prevent falls during the winter. The equipment permits sufficient ability to maintain the grounds to permit adequate employee safety.</p>

Project Description	Agency	Policy e-mod	Objective	Expended	Risk Assessment
9. Repair of Secretary of State Annex	Secretary of State	0.83	Contract with A&E to address insufficient fresh air exchange, ventilation, and replace windows.	\$30,000.00	During the spring of 2008 employees housed in the Secretary of State Annex complained of feeling dizzy or sleepy during the day. Air quality sampling determined that levels of CO2 were well beyond those permitted in a work environment. The poor air quality resulted in people feeling sleepy at 10Am due to insufficient air exchange and ventilation systems in the building. To make the building habitable for the employees assigned to work there, A&E is repairing the ventilation and air exchange systems and windows.
Total Expended				\$121,797.70	

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EXHIBIT 2
DATE 1/26/09
HB 2

Department of Labor and Industry

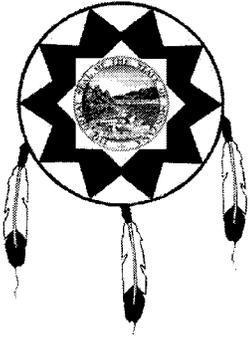
Goals and Objectives for the 2011 Biennium

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Located at:

http://www.mt.gov/budget/budgets/2011_budget/Internet%20Files/6602.pdf

Includes Department Status Updates



MONTANA
AMERICAN INDIAN
CAUCUS

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PHONE: 406.444.1634
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SENATE MEMBERS:

CAROL JUNEAU (CHAIR)
JONATHAN WINDY BOY
SHARON PEREGOY
JOE TROPILA

HOUSE MEMBERS:

SHANNON AUGARE
MARGARETT CAMPBELL
TONY BELCOURT
CAROLYN PEASE-LOPEZ
DAVID ROUNDSTONE
FROSTY CALF BOSS RIBS

CAUCUS STAFF:

JASON SMITH
ADRIAN MAIN

**MT/WY Tribal Leaders Council
&
Montana American Indian Caucus
Meeting
2/17/09**

6 p.m. Overview of Legislation and Appropriation 2009

- Senator Sharon Stewart-Peregoy
- Senator Jonathan Windy Boy
- Senator Carol Juneau
- Representative Margaret Campbell
- Representative Shannon J. Augare
- Representative Frosty Calf Boss Ribs
- Representative Tony Belcourt
- Representative Carolyn Pease-Lopez
- Representative David Rounstone

6:45 Jennifer Perez Cole Indian Affairs Coordinator

6:50 David Ewer Budget Director—HB2—Stimulus

7:05 Andy Huff Governor Attorney—Legislation

7:15 Discussion—Questions

7:45 Tribal Leaders Plan for 2009 Legislative Issues

8:00 Closing

WORKFORCE SERVICES DIVISION
Goals and Objectives

JOB SERVICE OPERATIONS BUREAU

- **Goal #1: Develop and maintain a high quality workforce system for Montana that supports and enhances the economic health of the business community and provides a prepared workforce.**

	PY2007	PY2008
○ Entered Employment	86%	89.5%
○ Retention	88%	90.5%
○ Earnings increase*	\$12,490	\$15,466

* Six month earnings after exit.

RESEARCH AND ANALYSIS BUREAU

- **Goal #1: Maintain high quality labor market and career information**
 - Meet and exceed US Bureau of Labor Statistics (BLS) deliverables 100% of the time.

Status: Over the past year, we have succeeded in those efforts for all BLS programs.

Examples include:

- Quarterly Census of Employment and Wages (QCEW) - all quarterly submittals were provided to BLS at least one day prior to the contract deliverable.
- QCEW - Annual NAICS Verification Survey deliverable of 80% Employment Response Rate by 7/23/09 – we have currently achieved an 81% Response Rate.
- Current Employment Statistics (CES) - all monthly contract deadlines for submitting estimates were accomplished on time, usually early.
- Occupational Employment Statistics (OES) - May 2008 survey panel we finished with 86% response on units and 84% on employment, far exceeding our contract requirements of 75%.
- OES - November 2008 survey panel deliverable of 45% unit response rate by 1/30/09 – we have currently achieved a response rate of 49% units (usable and pending).
- Increase relevance of and access to labor market information for all customers, including continuous improvement of the website, ourfactsyourfuture.org.

Status:

- Website redesign launched Dec 19, 2008. Redesign used input from focus groups and web statistics. Redesign streamlines access to labor market and career information reducing the amount of time/clicks to find information. Focus groups resulted in most searches taking less than 60 seconds to complete.
- There were 1,590,035 hits and 277,366 visitor sessions in 2008.
- Received 558,319 requests for publications, either via the website or in printed format, an increase of 233,116 (or 71.7%) from 2007. Ninety percent (or 500,560) of these publications were accessed via the website.
- Expanded involvement with other agencies on special projects and studies: WIRED Energy Study, Reclamation Study, Labor Availability Study, and the Workforce Incentive Grant are 4 of the largest multi-agency projects (21 multi-agency projects in total).
- Created e-learning tools to train individuals in labor market and career information. Local Job Service Workforce Center staff took the e-learning courses to become certified in 3 areas. 185 certifications were awarded during

2008. E-learning tools were also created for the public which was viewed 970 times during 2008.

- 7,467 podcasts downloaded
- Increase relevance of and access to career resources and information for all customers, including continued no-cost access to the Montana Career Information System (MCIS).

Status:

- Created and distributed two new career resources for previously unserved populations.
- MCIS logins increased 17,134 from 06/07 to 07/08.
- Successfully negotiated a contract with the Student Assistance Foundation to provide another year of MCIS access free to all Montanans.
- Expanded involvement in multi-agency projects, to include Big Sky Pathways (OCHE, OPI, DoLI), and recently approved WIA Incentive Grant (OCHE, OPI, DoLI, One-Stops)

PROGRAM SUPPORT BUREAU

- **Goals and objectives are established by the federal programs and statute providing for review and financial management of grants and programs. Objectives are covered by program allocation and Federal Accounting and Program Standards.**

21st CENTURY WORKFORCE TECHNOLOGY, APPRENTICESHIP, AND TRAINING BUREAU

- **Goal #1: Increase registrations and usage of the Montana Apprenticeship and Training Program.**

- Provide recognized apprenticeship registration for Montana employers and apprentices in the skilled crafts and trades occupations on a statewide basis.

	PY 2007	PY2008
▪ Increase program apprentice completions	208	235
▪ Reduce program apprentice cancellations	368	287
▪ Increase new employer registrations	1,507	1,424
▪ Increase new occupation registrations	0	0

▪ Maintain high level of customer service
Status: Programs continues to meet high levels of satisfaction with no unresolved issues or problems.

- Increase promotion of the Montana Apprenticeship System
Status: Added promotional funds to support marketing and working with the SWIB to develop a marketing plan that will role out in July 2009.

- **Goal #2: Prepare students grade 9-12, for meaningful career-oriented jobs through the Jobs for Montana's Graduates program.**

- Provide classroom instruction & work-based learning opportunities
 - 603 with 20.43% Native American
- Achieve senior graduation rate of 90%
 - 94.15% with 91.04% for Native Americans
- Achieve senior positive outcome rate of 80%
 - 94.97% with 86.89% for Native Americans
- Achieve a senior full-time placement rate (job & post secondary) of 80%
 - 97.23% with 81.97% for Native Americans
- Achieve a non-senior return to school rate of 70%
 - 91.80% with a 98.08% for Native Americans.

- **Goal #3: Continue the Incumbent Worker Training Pilot Program**
 - Wage Gain of employees
 - Current UI wage reports indicate gain of \$116 per quarter (only two quarters worth of data reported)
 - Employment, retention, and advancement of employees
 - Of 385 trained, 19 are no longer working, for a retention rate of 95%
 - Success of the business
 - The Business Expansion and retention (BEAR) team, in conjunction with the Local Job Service Offices, follow-up through visits to the business to determine the impact of the training on the business and the local economy. Performance reporting is also based on survey information
 - Of the 67 businesses surveyed, only 3 are no longer in operation – 95.5% still in business

Unemployment Insurance Division
Goals and Objectives

The following figure shows the program base year and budgeted biennium goals and performance measures that are associated with the proposed 2011 biennium HB2 budget.

Department of Labor and Industry		
Unemployment Insurance		
Measurable Objectives for the 2011 Biennium		
Goal	Measurable Objectives	Status as of June 30, 2008
Meet or exceed federal Government Performance Results Act performance standards.	· 87% of 1 st payments will be issued within 21 days after the compensable week begins.	92.9%
	· 90.3% of all intrastate first payments for full weeks will be issued within 21 days.	95.4%
	· 80% of separation and non-separation determinations will be issued within 21 days of the detection date.	79.6%
	· 75% of separation and non-separation determinations must achieve a quality score of greater than 80 points.	77.9%
	· No more than 3 tax functions may fail the Tax Performance Standards (TPS) review in a given year.	1 failed
	· No single tax function may fail the TPS review more than 3 consecutive years.	0 failed
	· 85.1 % of new employer status determinations must be made within 90 days of becoming subject.	87.6%
	· 95% of employer reports must be secured within 90 days of the date due.	98.9%
	· 95% of employer UI contributions must be deposited within 3 days of receipt.	99.68%
	· 2% of contributory employers must be audited each year.	2%
	· Accounts receivable, as a percent of total tax due, must be less than 2% (average).	1.3%
	· All contribution rates must be assigned properly.	100%
	· Identify employers who engage in SUTA dumping and bring them into compliance with the law.	0 cases of willful SUTA dumping. (8 accounts were identified as successors, resulting in a higher tax rate).
Develop, implement, and encourage use of web-based services.	· Develop and implement Phase II of the Internet employer services portal to allow employer update and maintenance capabilities, as well as on-line forms and security features.	On time and on budget.
	· Encourage the use of Internet wage reporting system (Warp on the Web, aka "WOW").	Flyers sent to employers in March 2008. 37% increase in reports entered on WOW, 34% increase in employers paying via

	<ul style="list-style-type: none"> · Encourage the use of Internet claim filing system. · Encourage usage of direct deposit of unemployment checks. 	<p>WOW.</p> <p>56% usage rate.</p> <p>45% usage rate.</p>
Develop a culture of continual improvement in program internal controls	<ul style="list-style-type: none"> · Identify and establish appropriate user roles for all access to UI systems. · Develop and conduct an employee survey to identify program internal control concerns, issues, and ideas. · Create internal control checklists. 	<p>Programming underway. Completion set for June 2009.</p> <p>Survey conducted March 2008. Completed 2008</p>
Develop program efficiencies that improve service to customers	<ul style="list-style-type: none"> · Conduct claimant and employer customer service surveys with an 80% positive feedback receipt rate. · Institute an employer-only telephone number to answer employer benefit charging questions. · Conduct Assistance to Business Clinics each year to provide UI benefit and tax information to employers. · Develop cost efficient staff training so that consistent information is provided to our customers. · Provide Rapid Response services to employers and employees when large layoffs occur. 	<p>Greater than 90% positive rate in SFY 2008</p> <p>Number instituted July 9, 2008, 546 Calls to date.</p> <p>16 clinics conducted. Employer reps have provided positive feedback.</p> <p>Web-based training (Go to Meeting) instituted in SFY 2008.</p> <p>7 Rapid Responses, 292 attendees.</p>

Centralized Services Division Goals and Objectives

COMMISSIONER'S OFFICE

- **Goal #1: Live, breath, walk and talk the core values of the Department.**
 - Customer Focus
 - Making decisions based on what is best for internal and external customers, within the legal parameters of laws and regulations.
 - Inviting customer participation to better understand their needs.
 - Individual Responsibility
 - Taking individual responsibility for performance, attitude, professionalism, and communication.
 - Working effectively and productively in teams and partnerships and taking responsibility for each individual's role in developing and maintaining healthy relationships and business partners.
 - Seeking training, tools, and information needed to perform the job.
 - Looking for ways to improve customer satisfaction.
 - Accepting responsibility and accountability before acting.
 - Creating a culture of safety.
 - Individual Growth
 - Freely sharing knowledge and opportunities for development.
 - Committing resources for staff development.
 - Recognizing individual strengths and valuing how they contribute to the whole.
 - Looking creatively at solutions to enhance staff performance at all levels.
 - Ethics in the Workplace
 - Displaying and encouraging trust, mutual support, respect for others, and honesty.
 - Does not engage in nor tolerate mean-spirited behavior.
 - Continuous Improvement
 - Continually questioning the "why" and "how" of performing specific job duties.
 - Including all stakeholders that may be affected by any change or improvement being considered.
 - When appropriate, using data and a structured method to make decisions.

Status: The department's core values are measured through an annual performance appraisal, which includes a mid year evaluation due no later than March 31st and a final evaluation due June 30th. The performance appraisals in the department are current through June 2008.

STATE WORKFORCE INVESTMENT BOARD

Goal #1: Engage the workforce system by anticipating and responding to business current and emerging needs for skilled workers.

- Exercise capacity building for board members and the workforce system.
- Create an inclusive system that represents all faces of Montana, including Montana's Tribal Nations and the last and the least.

- Compose A 2006 Snapshot document outlining State of Montana Workforce System is being finalized.
- Track legislative issues related to Workforce Development.
- Increase communication vehicles.

Status:

- SWIB has contracted with a Policy and Strategic consultant from Corporation for a Skilled Workforce to assist with SWIB strategic planning and re-tooling
- Expanded SWIB representation and participation on other workforce committees and initiatives: WIRED Executive Committee, Regional Innovations Grant Community Conversations, Apprenticeship/COT Community Conversations, Chair Participation with the National Governor's Association Workforce Board Chair/Staff meetings, USDOL special projects, i.e. Transformation Forums, Apprenticeship Action Clinic
- Annual production of Snapshot document
- Actively utilize the Met-Net System for committee meetings – allows for more public participation while conserving on travel time and costs for Board members
- Continuous expansion of Interested Persons database for meeting notification and distribution of quarterly newsletter

Goal #2: Improve efficiencies by getting more dollars into the hands of Montana's needing citizens.

- Review programs and administrative budgets, ensure fiscal accountability and reduce administrative layering.
- Transitioned to a single-statewide area planning.
- Promote local involvement via:
- Workforce Systems Committee working on Teleconferencing feasibility
- SWIB Members conducting On-Site One-Stop Center Certification Reviews
- Attempting to conduct committee and council meeting at various One-Stop Centers around the state based on fiscal feasibility

Status:

- Pre Apprentice Line Program: The State Workforce Investment Board (SWIB) took action at their meeting on May 4, 2007 to dedicate \$400,000 of WIA Adult and Dislocated Worker carry forward funds toward this special pilot project in Program Year 2007. Two sessions were conducted with training completions in December 2007 and May 2008. Overall, 41 WIA and 2 WIRED funded individuals were enrolled in the training in PY07. The average wage for this sub-group is \$17.70 per hour. (Data collection/results in process)
- Actively utilize the Met-Net System for committee meetings.
- Have held meeting in such locations as: Belgrade – One- Stop Center, Billings – in conjunction with the Governor's Workforce Conference, Butte Tech, Helena Adult Learning Center.
- Distribution of quarterly newsletter.

Goal #3: Encourage alignment among workforce development, post secondary education, and economic development.

- Create performance standards that identify effective workforce development initiatives.

- Coordinate the states' workforce investment initiatives with the state's economic development plan.
- Establish subcommittees to address health care, economic development/business retention, apprenticeship, youth services and workforce systems.

Status:

- Establish criteria and standards for Request for Proposal Process for WIA Adult, Youth and Dislocated Worker Programs, Encourage and support the use of Waiver opportunities.
- Provide guidance and input in the State WIA-Wagner Peyser Plan.
- Committees: Restructured 12/08 (Incumbent & New Worker Training Programs, Workforce Investment Act Regulatory, Career Clusters/Big Sky Pathways) Continuing: Apprenticeship Advisory, Youth Council) Priority Industries for Committees: Health Care, Energy, Restoration & Reclamation, Early Childcare.)

Goal #4: Advance workforce development policies

- Provide recommendations to the Governor and other state leaders, who support economic development efforts in Montana.
- Review and develop program policies.

Status:

- Recent committee restructuring to better address the states' priority industry and workforce needs.)
- Review requests for Governor's WIA Set-Aside Funds (recommended support for Apprenticeship/COT Community Conversations, JMG match for program expansion, leverage for Community Based Job Training Grants.

Goal #5: Acknowledge Montana's workforce development leaders

- Host annual Desiree Taggart Memorial Awards in recognition of Montana workforce development organizations, businesses, and individuals to recognize outstanding achievement or contributions to employment and training efforts in Montana.
- Publicly acknowledge newly certified One-Stop Centers.

Status:

- Discussing ways to acknowledge and invite more interactions and recognition through the one-stop system. Approved One-Stops are presented with plaque, public recognition of their certification, and feature in SWIB newsletter.
- SWIB Members conducting On-Site One-Stop Center Certification Reviews
- Attempting to conduct committee and council meeting at various One-Stop Centers around the state based on fiscal feasibility

FISCAL SUPPORT BUREAU

- **Goal #1: Provide timely and reliable financial information to Department personnel to facilitate the best use of financial resources in achieving Department goals.**
 - Handle financial transaction processing and prepare regular periodic financial reports.

Status: The Fiscal Support Bureau processes financial transactions within 10 working days of receipt.

Status: The Fiscal Support Bureau meets with divisions monthly or quarterly to review financial reports.

- Compile budgets and related information to meet Office of Budget and Program Planning and Legislative Fiscal Division requirements and to assist DLI divisions in financial and operational planning.

Status: The Fiscal Support Bureau prepares Budget Change Documents, executive budget and fiscal notes meeting OBPP deadlines.

- **Goal #2: Continuously review and improve business and financial processes to ensure quality stewardship of public funds.**

- Devise and follow documented internal control procedures as outlined in Statement on Auditing Standards 112.

Status: Measure was met on June 30 2008.

- Foster an environment of continuous improvement to promote efficiency and proper safeguarding of human and financial capital.

Status: Continuous Improvement is a core value that is measured twice a year in an employees performance appraisal.

OFFICE OF HUMAN RESOURCES

- **Goal #1: Create and implement a Workforce Planning & Development Program throughout the department that will aid in sustaining and improving the performance within the agency.**

- Create a plan that will tie Workforce Planning & Development to performance by June 30, 2009.
- Implement the plan that will tie Workforce Planning & Development to performance by June 30, 2010.

HEARINGS BUREAU

- **Goal #1: Provide timely, impartial administrative hearings for Montana's citizens.**

- Maintain a current hearing docket for all cases appealed to the Hearings Bureau. This typically requires completion of 1,200 Unemployment insurance (UI) appeals and 200 other appeals annually.
- Complete 80% of UI hearings and decisions within 30 days of appeal and 90% within 45 days. Meet all other UI quality standards.
- Complete non-UI hearings and decisions within 6 months of receipt of file, except when the parties to cases request more time in the hearing process.
- Complete 75% of non-UI decisions within 45 days of submission and 100% within 75 days of submission.
- Maintain high quality hearing processes and well-written, legally correct decisions.

- **Goal #2: Streamline Bureau operations for ease of user navigation/search.**

- Continually develop and enhance automated systems, to include: improvements to the case tracking system and other utilization of technology.

TECHINICAL SERVICES BUREAU

- **Goal #1: Provide quality, innovative technology to better serve our internal department customers.**
 - Provide technical support that meets the internal customers' requirements while adhering to Department and Enterprise standards and policy.
 - Provide technical assistance/guidance for effectively interacting with advancing technologies for continuing development of efficient delivery systems to the external customer.

Status: AN IT steering committee meets quarterly to plan and coordinate IT service delivery.

Department of Labor and Industry
Employment Relations Division

Measurable Objectives for the 2011 Biennium

Goal	Measurable Objectives	Current status of Measures
HUMAN RIGHTS BUREAU GOALS AND OBJECTIVES		Accomplishments through Oct FY 2008:
Goal #1: Conduct timely impartial investigations of charges of illegal discrimination under state and federal law.	<ul style="list-style-type: none"> o Complete case investigations within 120 days for housing charges and 180 days for all other charges in accordance with state statutory time lines. 	<ul style="list-style-type: none"> • Completed impartial investigations of charges of illegal discrimination within 180 days of the complaint filing and 120 days in housing complaints. • Conducted on site interviews or fact-finding conferences in at least 30% of all cases assigned for investigation.
Goal #2: Insure appropriate filing within statutory time lines and jurisdiction of applicable state and federal discrimination statutes.	<ul style="list-style-type: none"> o Trained staff will screen complaint inquiries and, when appropriate, prepare written complaints within two weeks of all intake interviews. 	Accomplishments through Oct FY 2008:
		<ul style="list-style-type: none"> • Responded to over 5000 inquiries to accept 599 charges of illegal discrimination. • Accepted 599 new complaints while closing 530 cases. • Maintained administrative closures at 4% or less
Goal # 3: Foster early resolution of charges.	<ul style="list-style-type: none"> o Provide mediation during the 180 day investigation period, when requested by parties to a case. o Successfully conciliate 55% of cases certified for hearing. 	Accomplishments through Oct FY 2008:
		<ul style="list-style-type: none"> • Successfully mediated 108 cases (20% of cases) completed during investigation period and prior to issuing finding. • Successfully conciliated 45 cases (55%) after a finding of illegal discrimination but prior to holding a contested case hearing.
Goal # 4: Provide technical assistance and educational outreach to businesses, advocacy groups and interested citizens.	<ul style="list-style-type: none"> o Participate in 15 Assistance to Business Clinics annually. o Participate in a minimum of 10 other workshops and conferences on disability issues, race relations, and discrimination issues in the workplace, education, and public accommodations. o Respond to business rights inquiries from the public within two business days. 	Accomplishments through Oct FY 2008:
		<ul style="list-style-type: none"> • Continue to post Montana Human Rights Commission decisions and final agency decisions on the Bureau web site. • Continue to update web site with educational brochures, statistical information, and training resources. • Attended 4 Pow Wows providing information about the Bureau. • Presented 12 workshops or presentations on issues of discrimination. • Provided assistance to employers in responding to business rights inquiries.

		<ul style="list-style-type: none"> Continued survey of individuals who have participated in an intake interview to insure quality of screening in accepting cases. Provided assistance to employers on developing policies and practices to insure non-discrimination in the workplace.
LABOR STANDARDS	<ul style="list-style-type: none"> Maintain at least a 75% completion and strive for a 76% completion within 55 days of receipt. 	Accomplishments through FY 2008:
BUREAU		<ul style="list-style-type: none"> In FY 2008 the Wage and Hour Unit issued 79% of its determinations within 55 days of receipt.
Goal #1: Issue initial determinations on Wage and Hour complaints in a timely and efficient manner.		
Goal #2: Conduct timely dispute resolution and settlement of Wage and Hour complaints.	<ul style="list-style-type: none"> Maintain the 4% of cases forwarded to formal hearings processes. Resolve at least 70% of the contested cases through mediation prior to hearing. 	Accomplishments through FY 2008: <ul style="list-style-type: none"> In FY 2008 there were 29 appeals to hearing of the 117 wage and hour cases filed. This represents a 25% rate of appeal. In FY 2008 the mediation program resolved 82 of the 117 wage and hour cases heard for a 70% settlement rate. Average time from assignment to resolution was 22 days.
Goal #3: Foster alternative dispute resolution methodologies.	<ul style="list-style-type: none"> Actively participate in Interest Based Bargaining (IBB), contract mediation, and grievance mediation as requested. 	Accomplishments through FY 2008: <ul style="list-style-type: none"> In FY 2008 staff conducted 50 public sector contract mediations. In FY 2008 staff conducted, trained, and assisted 4 public sector employer and employee organizations in principles of interest based problem resolution and labor management cooperative committees.
SAFETY and HEALTH	<ul style="list-style-type: none"> Conduct compliance inspections of 300 public employers. Conduct quarterly inspections on Montana's six coal mines. Provide technical assistance to private employers on workplace safety and health through the Occupational Safety and Health Administration grant. 	Accomplishments through FY 2008:
BUREAU		<ul style="list-style-type: none"> Performed 278 inspections of public employers. Performed 35 coal mine inspections. Performed 116 metal and non-metal mining inspections. Responded to 1,215 technical assistance requests from public and private employers.
Goal #1: Assist employers in complying with workplace safety and health standards.		

<p>Goal #2: Aid in professional development for Montana employers and safety professionals.</p>	<ul style="list-style-type: none"> o Provide 30 basic and advanced training courses in workplace safety and health through the Montana Occupational Safety and Health Institute. 	<p>Accomplishments through FY 2008:</p> <ul style="list-style-type: none"> • Provided 91 training sessions in workplace safety and health through the Montana Occupational Safety and Health Institute and outreach activities.
<p>Goal #3: Provide mine training courses for Montana employers.</p>	<ul style="list-style-type: none"> o Train 1,000 – 1,500 miners and mining contractors in new miner training/refreshers training through the Mine Safety and Health Administration (MSHA) Small Miners training grant. 	<p>Accomplishments through FY 2008:</p> <ul style="list-style-type: none"> • Conducted 183 mine training sessions • Trained 2,548 mine workers
<p>Goal #4: Create a safety culture via Statewide Safety Initiative:</p> <ul style="list-style-type: none"> o Promote safety and health management systems o Transform societal attitude in Montana o Execute social marketing campaign 	<ul style="list-style-type: none"> o Reduce Montana's injury and illness rate to national average (4.4 injuries/100 FTE) o Develop and implement disability management program to reduce time away from work to national average (88 days) o Contain medical injury compensations costs 	<p>Accomplishments through FY 2008:</p> <p>-5.9% Less Cost Filing (NCCI)- \$22 million savings</p> <p>Potential cost savings:</p> <ul style="list-style-type: none"> • Reduce frequency rate to national average - save \$145 in statewide work comp premiums • Reduce duration of days away from work to national average - \$12.5 million savings
<p>WORKERS'</p>	<ul style="list-style-type: none"> o Process 100% of orders within 14 days of receipt. This typically requires issuance of determinations on 1,700 orders annually. 	<p>Accomplishments through FY 2008:</p> <ul style="list-style-type: none"> • Of the 1,672 petitions received, all were processed within 14 days of receipt resulting in a success percentage of 100%. The average number of days for processing for the time period was just over 3 calendar days (3.57 days).
<p>COMPENSATION CLAIMS</p>		
<p>ASSISTANCE BUREAU</p>		
<p>Goal #1: Provide timely monitoring and regulatory services for the workers' compensation industry and claimants.</p>	<p>Goal #2: Provide timely, impartial, and equitable dispute resolution of benefit issues between claimants and insurers.</p>	<p>Accomplishments through Oct FY 2008:</p> <ul style="list-style-type: none"> • 81% of the completed cases were resolved as of June 30, 2008. The resolution rate will change as open cases complete the process. • On average the cases that proceeded through the process without extensions took 39 days to complete the mediation process. For those cases when the parties requested or agreed to extensions, the average timeframe was 80 days to complete the process.

<p>Goal #3: Enhance the electronic collection, quality, production, and sharing of workers' compensation information and data.</p>	<ul style="list-style-type: none"> o Complete the Annual Report by July of each year. o Prepare at least one special study to be made available to the workers' compensation community each fiscal year. 	<p>Accomplishments through FY 2008:</p> <ul style="list-style-type: none"> • 49 Trading Partners (TPs), representing over 350 insurers/adjusters, report to the Department via electronic data interchange (EDI). 46 TPs electronically report both First Reports of Injury (FROI) and Subsequent Reports (SROI). 3 TPs electronically report only FROI'S. 4 TPs are currently in testing status for electronic reporting of FROI'S; 2 TPs are currently in testing status for electronic reporting of SROI' S. • The Electronic Prior Claims (EPC) system provides online access to prior claim histories for at-risk insurers or approved agencies for fraud investigation and enforcement. 33 insurers/agencies (with 140 individuals) are registered users of the EPC system.
<p>WORKERS'</p>		<p>Accomplishments through FY 2008:</p>
<p>COMPENSATION</p>		
<p>REGULATION BUREAU</p>		
<p>Goal #1: Develop comprehensive internet based information and technical assistance for the medical community, insurers, adjusters, employers, workers, and the general public.</p>	<ul style="list-style-type: none"> o Establish an online system for the public to verify the existence of workers' compensation coverage on a business by July 2008. 	<ul style="list-style-type: none"> • Completed the development and design of Phase I of the independent contractor database. • Completed initial setup of online system for public to verify workers' compensation coverage. • Developed non-facility medical fee schedule and posted instructions and payment rates for each Current Procedural Terminology (CPT) code on the internet.
<p>Goal #2: Respond to applications and renewal requests in a timely manner.</p>	<ul style="list-style-type: none"> o Provide new independent contractor certificates within two days of receipt of complete applications. o Conduct timely compliance investigations of renewing applicants. 	<p>Accomplishments through FY 2008:</p> <ul style="list-style-type: none"> • Processed 37 initial and renewal Professional Employer Organizations licenses, denied 3 applications. • Processed 5,444 contractor registration applications. • Processed and completed 8,539 independent contractor exemption applications. Average compliance review and processing time was 6 days.

<p>Goal #3: Provide technical assistance, public service announcements, and educational outreach to the public about Title 39, Chapters 8, 9, 71, 72, and 73, MCA.</p>	<ul style="list-style-type: none"> • When requested, the staff correctly answers public inquiries. Staff that is sent to public presentations are knowledgeable of these chapters of the MT law. • Participate in a minimum of 10 workshops and conferences annually to provide information about the programs the Bureau administers. 	<p><u>Accomplishments through FY 2008:</u></p> <ul style="list-style-type: none"> • Community Sweeps, designed to educate a community on the independent contractor laws and check for compliance with random on-site audits were conducted in Bozeman, Great Falls, Billings, Red Lodge, Miles City, Whitefish, and Big Sky. These events included multiple seminars conducted in the evenings at each location and field contacts by the Independent Contractor Central Unit staff.
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Business Standards Division
Goals and Objectives

BUILDING CODES BUREAU

- **Goal #1: Protect the health and safety of the public, employees, and prospective building owners in the state.**
 - Enforce and adopt appropriate minimum building codes to promote construction of safe, energy efficient, and accessible buildings and building components including elevators and boilers.
- **Goal #2: Provide prompt, courteous, and efficient service to building owners, design professionals, contractors, and trade persons.**
 - Review and approve building plans, including factory built buildings within two weeks.
 - Issue plumbing, mechanical, and electrical permits within one day of application.
 - Issue passenger elevator and boiler permits within three weeks.

WEIGHTS & MEASURES BUREAU

- **Goal #1: Assure equity in all commercial transactions.**
 - On an annual basis test, inspect, and certify 90% of all scales, retail and wholesale meters, and Liquid Propane Gas dispensers used commercially in Montana.
 - Test for net-content compliance - 2,000 pre-packed packages on an annual basis.
 - Investigate all complaints concerning fuel quality.
 - Test for octane rating compliance - at least 100 fuel samples from across the state.

BUSINESS AND OCCUPATIONAL LICENSING BUREAU & HEALTH CARE LICENSING BUREAU

- **Goal #1 Protect the health, safety, and welfare of the public.**
 - Assist and advise boards to maintain high standards of excellence for the regulated professions and occupations within the state.
 - Work with the respective industries for those licensing programs without boards to maintain high standards of excellence for the regulated professions and occupations within the state.
 - Designate field staff to routinely inspect and advise licensees and the public on matters regarding licensure and safe practice.
- **Goal #2 Advance optimal health outcomes for Montana residents.**
 - Assist and advise boards in establishing rules to address safe practice and appropriate conduct of each health care professional.
- **Goal #3 License and renew licenses to qualified individuals in a timely and cost effective manner.**
 - Process 80% of all new license applications within 14 days of receipt of a completed application.
 - Support and improve online licensing functions for all licensing boards and programs.

- Process all license renewal applications within 14 days of receipt of the completed renewal.
- **Goal #4 Provide boards with sufficient administrative support to:**
 - Investigate allegations of licensee incompetence, negligence, and unlicensed practice.
 - Impose fair and appropriate sanctions, based upon consistent findings of facts, practices, or omissions that are not in compliance with the statutes and rules regulating the profession.
 - Fulfill the statutory duties and responsibilities of the board and provide excellent customer service to licensees and the public.

Montana Office of Community Service Goals and Objectives

- **Goal #1: Expand service opportunities for all Montanans.**
 - Enroll 1,000 National Service Members who will serve Montana Communities annually.
 - Engage 10,000 community volunteers who will serve over 100,000 hours over the course of the biennium.
 - Engage more Montanans to become tissue and organ donors in order to save lives and improve the quality of life for others.
 - Demonstrate over 200 partnerships with community, faith based, disability advocacy, disaster and emergency service, and Tribal organizations.
 - Increase the number of service members who have disclosed a disability by 20%.

- **Goal #2: Provide training and technical assistance for community and national service programs in Montana to ensure they have the capacity to support volunteers.**
 - Assist over 40 community agencies and more than 500 individuals in achieving skills to be proficient in sustaining a viable organization annually.
 - Office of Community Service (OCS) delivers Community Building Institute; an on-going skill based training conference.
 - Increase awareness of volunteer opportunities and Civic Engagement at the Governor's Conference by networking with statewide non-profit agencies. In addition, the conference will include training opportunities for volunteer sustainability.

- **Goal #3: Maintain a solid portfolio of AmeriCorps programs to meet the needs of Montana communities and provide participants with financial resources to pursue higher education.**
 - Recruit, administer, and promote awareness of AmeriCorps Programs to meet critical community needs.
 - Engage adults 30,000 times in parent-child learning
 - Mentor/tutor 8,000 students
 - Build or restore 2,000 miles of trail
 - Build or restore 100 miles of fence
 - Plant 60,000 trees
 - Restore or conserve 4,000 acres of habitat on public lands
 - Construct or restore 24 affordable housing units
 - Weatherize more than 2,500 Montana homes
 - Involve more than 200 high school students in community service to aid in the prevention of drop out rates.
 - Increase the educational award only program to help Montana students in professional occupations decrease school loans through service in Americorps and increase economic self sufficiency.
 - Increase the number of individuals on reservations to become national service members through AmeriCorps and AmeriCorps *Vista.
 - Provide Educational Vouchers in excess of \$1,600,000 to AmeriCorps participants serving Montana communities and reduce their financial burden and incorporate service as a life long habit.

- **Goal #4: Provide training and technical assistance for Montana citizens to be prepared in disaster and emergency situations. Coordinate the FEMA Community Emergency Response Teams (CERTS), and the Montana Citizen Corps Program.**
 - Help revitalize and expand the registered CERTs/Citizen Corps in Montana and build capacity for additional partners.
 - Identify CERT trained citizens across Montana and enter them in a central database in partnership with the Department of Health and Human Services and medical personnel
 - Increase awareness across Montana of the urgency of disaster and emergency preparedness with media outreach, public meetings, and web based strategies.
 - Help create a plan for special needs populations by working with existing partners and engaging new ones.
 - Improve public safety through the Citizen Corps by providing opportunities for disaster and emergency preparedness.

Work Comp Court Goals and Objectives

- **Goal #1: Continue flexible policy of trying cases when and where the parties wish.**
 - The Court has statewide jurisdiction and holds regular trial terms in five Montana cities: Billings, Great Falls, Helena, Kalispell, and Missoula. Week-long trial terms are held in each city four times a year. In the past, the Court has also held trials in Butte, Red Lodge, Big Fork, Miles City, Malta, Columbus, Bozeman, Sidney, and Plains.
- **Goal #2: Continue to maintain the average time between trial and decision to within 90 days of trial or submission.**
 - The Court has two law clerks on staff who attend the trials. The law clerks are law school graduates who conduct legal research and assist with drafting and finalizing decisions and interim Orders.
 - The Court has been encouraging parties practicing before the Court to have all motions fully briefed and depositions filed on their due date so that the matter can be finally submitted at the conclusion of the trial.
 - The Court endeavors to issue bench rulings whenever possible, thus expediting decisions. In order to facilitate this goal, the Court has a three-quarter-time court reporter/deputy clerk on staff. This facilitates the issuance of bench rulings which could not otherwise be issued immediately upon the conclusion of a trial.
- **Goal #3: Continue to manage common fund cases efficiently.**
 - The Court has implemented procedures to allow for the dismissal of parties who are not properly within the common fund. The Court has also appointed a Special Master to address the numerous pretrial matters which allows common fund cases to be handled efficiently and not negatively impact the Court's regular docket. The Court continues to strive toward managing the common fund cases in an efficient, effective manner. Each item filed in the common fund cases is posted on our website for the public's perusal, enabling everyone access to the status of each case.
- **Goal #4: Reporting of interim conferences readily available.**
 - The Court has a three-quarter-time court reporter/deputy clerk on staff. This allows any interim conferences to be reported should the Court or parties request while also maintaining an efficient clerk's office within budget constraints.
- **Goal #5: Continue to post final, published decisions on the Court's website and provide efficient search tools and a topics index for research purposes.**
 - The Court will continue to post its published decisions and any substantive Orders on its website. Topics indexes and search tools are also available on the website for research purposes. The Court has endeavored to refine its search engine and encourage attorneys practicing before the Court to utilize search engines in conducting legal research.
- **Goal #6: Continue to maintain the Workers' Compensation Court website.**
 - The Workers' Compensation Court has an extensive website with helpful information for parties practicing before the Court. Workers' Compensation Court decisions are published on the website dating back from 1993 to the present. Additionally, a topic index is

available which is useful for legal research. Links to Montana Supreme Court decisions and other state agencies are also provided on the website. Court personnel are readily accessible through e-mail address links located on the website. The website contains the Court's calendar, which is continually updated. The website also contains the Court rules, legal forms, general information, and helpful hints.

- **Goal #7: Continue to support easy accessibility by pro sé (unrepresented) parties.**
 - The Workers' Compensation system is intended to be primarily self-administering. In furtherance of this goal, the Court is designed to make navigating through the system as easy as possible for pro sé (unrepresented) parties. One of the ways this goal is accomplished is by keeping the extensive website updated. Additionally, the Court provides helpful assistance to any procedural question a pro sé party may have. Along with the Court's rules, the website contains forms and an informational brochure specifically geared toward pro sé parties. Hard copies of these materials are also available upon request.