



DEPARTMENT OF LABOR AND INDUSTRY OVERVIEW

Department Head: Galen Hollenbaugh (Appointed by governor and confirmed by the Senate)

Duties/Responsibilities

Workforce, Employment/Unemployment Oversight

- Oversees workforce and apprenticeship programs, including managing Job Service Offices statewide, work-based learning programs, the Jobs for Montana's Graduates program for middle and high school students, and the State Workforce Innovation Board. Many of these programs implement federal directives related to workers and employers.
- Provides economic analysis related to labor and employment.
- Manages 33 professional and occupational licensing boards and oversees complaints and investigations for the volunteer boards.
- Oversees the federal-state unemployment insurance program, handling claims and appeals, and making sure unemployment insurance schedules are fairly applied.
- Works with collective bargaining mediation.
- Conducts workplace safety training for all employers. Conducts inspections for local and state government entity work sites. Inspects coal mines and sand and gravel operations.

- Provides information, determinations, and hearings related to wage and hour complaints.
- Investigates charges of illegal discrimination under state (and related federal) law and provides educational outreach on human rights issues.

Workers' Compensation Oversight

- Oversees the overall workers' compensation system by gathering information, providing utilization and treatment guidelines as well as medical fee schedules and a prescription drug formulary. Conducts mediation on claims, promotes return-to-work programs. Assists with the Workers' Compensation Court.
- Handles independent contractor exemptions and contractor and home inspector registrations.

Other Business Regulation / Assistance

- Handles business-related meter testing to ensure accuracy for weights and measures.
- Administers building construction standards outside of areas not governed by local codes and works with builders to adopt national codes.
- Oversees the Governor's Office of Community Service.
- Surveys businesses for determination of prevailing wage rates and migrant agricultural workers' wages under H-2A visas.

Investigatory Responsibilities

- Investigates cases in which employers do not have workers' compensation insurance and arranges claim payments for workers of employers found not to have workers' compensation.

Boards, Entities Attached to the Department of Labor and Industry

- All 33 Professional and Occupational Licensing Boards (most under Title 37)
- Board of Personnel Appeals, established under 2-15-1705, MCA



For November 7, 2019

Department of Labor and Industry Overview
Economic Affairs Interim Committee

- The Commission for Human Rights, established under 2-15-1706, MCA
- The Office of Workers' Compensation Judge, established under 2-15-1707, MCA
- The State Workforce Innovation Board, established under 53-2-1203, MCA, in conjunction with federal law
- The Unemployment Insurance Appeals Board, established under 2-15-1704, MCA

Legislative Audits

- The Montana Prescription Drug Registry, [18DP-01](#), nine recommendations
- Follow-up to Regulation of Independent Contractors [15P-02](#) ([18SP-02](#))
- Follow-up to Data Integrity of STAARS [16DP-01](#) ([18SP-04](#))
- 2017 Financial Compliance Audit ([17-15](#)), three recommendations.

DEPARTMENT OF LABOR AND INDUSTRY – BIENNIUM BUDGET FOR FY 2020 AND FY 2021*

Divisions	FTE	House Bill 2 for FY2020			House Bill 2 for FY2021			Total: All Sources
		General Fund	State Special Revenue	Federal Special Revenue	General Fund	State Special Revenue	Federal Special Revenue	for FY21 Biennium
Commissioner's Office/Central Services	10.5	\$309,297	\$379,499	\$572,993	\$314,251	\$384,028	\$581,106	\$2,541,174
Business Standards Division	137.57	--	\$18,932,441	\$20,409	--	\$18,910,085	\$20,409	\$37,883,344
Employment Relations Division	118.98	\$1,526,386	\$12,500,638	\$1,088,572	\$1,544,245	\$12,633,076	\$1,095,930	\$30,388,847
Unemployment Insurance	148.61	--	\$5,642,432	\$11,303,973	--	\$5,725,576	\$11,453,126	\$34,125,107
Workforce Services	238	--	\$14,113,049	\$16,516,336	--	\$14,207,818	\$16,658,654	\$61,495,857
Workers' Compensation Court	7	--	\$791,697	--	--	\$799,642	--	\$1,591,339
Office of Community Service	4	\$150,185	\$12,388	\$3,817,535	\$151,834	\$12,388	\$3,820,666	\$7,964,996
Totals	664.66	For FY2020	\$87,677,830		For FY2021	\$88,312,834		\$175,990,664

*As provided by the Department of Labor and Industry

Recent Reports

*[2019 Labor Day Report](#) *2019 Workers' Compensation Report

EAIC Concerns

*Active Supervision (Restraint of Trade)

*Firefighters' Presumptive Disease

*Assistance with new U.S. Department of Labor Overtime Rule in effect 1/1/2020 (see [fact sheet](#))

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