

**FY21 Budget Performance Review**  
**Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

**Agency Mission**

The statutory mission of the Commissioner of Labor is to foster, promote, and develop the welfare of the wage earners of the State of Oklahoma; to improve their working conditions; to advance their opportunities for profitable employment; and, to enforce and administer the labor laws of the State of Oklahoma. In addition to our statutory mission, the Oklahoma Department of Labor (ODOL) provides the citizens and visitors to the state with regulatory, licensing, enforcement and educational services necessary to live, work and recreate in an environment free from workplace hazards and unfair treatment. Providing these tools is directly linked to our commitment to excellence and quality.

**Division and Program Descriptions**

*Note: Please define any acronyms used in program descriptions.*

**Administrative Services**

*ODOL Administration provides direct support to all divisions and efforts within the agency. This includes human resources, financial services, administrative rules and hearings, federal grant support, communications and executive services.*

**Asbestos Abatement Program:**

*This program is responsible for ensuring asbestos and containment is accomplished in a safe manner in both public and private sectors. The division licenses all asbestos workers and contractors.*

**Occupational Safety and Health:**

*The OSHA Consultation Division provides free consultation service to Oklahoma's private sector businesses. This voluntary non-punitive and confidential program is designed to assist small high-hazard employers in preventing injuries and illnesses and to avoid costly OSHA fines.*

**Public Employees Occupational Safety and Health (PEOSH)**

*PEOSH is an educational and enforcement unit which inspect public agencies such as state, city, county, public schools and other political subdivisions of the State of Oklahoma. Consultation and assistance are provided to entities for the safety of public employees.*

**Child Labor Unit**

*The Child Labor Unit is responsible for educational outreach when it comes to child labor law, and ensuring that children are not working in hazardous environments. This unit educates the public, businesses and students about the need for workplace safety.*

**Statistical Research**

*This program performs statistical research on occupational safety and health injuries, illness and deaths in both private and public entities. This data is used to strategically target areas where the most injuries or death occur.*

**Employment Standards Division**

*This division is charged with protecting Oklahoma's workforce by receiving complaints of allegedly wrongfully withheld wages, conducting investigations and making determinations as to whether wages are owed and due.*

**Legal Division**

*The Legal services division provides legal support and advice to the Commissioner's Administrative staff, directors and staff of each Department of Labor division. This division also provides such advice informally and through written opinion, as well as through the filing of legal pleadings in internal administrative hearings, hearings and or investigations by other state agencies, such as Oklahoma Merit Protection Commission and Oklahoma Unemployment Security Commission, and state and federal court proceedings. The Legal services division contracts with Administrative Law Judges (ALJ or Hearing Officer) to hear and decide issues under Article II or the Administrative Procedures Act and defends the agency investigative findings and determinations at administrative dockets set for Wage & Hour and Child Labor cases.*

*Also assists in the creation and proper structure of statutory and regulatory changes for matters falling within the Commission of Labor constitutional and statutory authority.*

**FY21 Budget Performance Review**  
**Oklahoma Department of Labor - 405**

**Lead Administrator: Commissioner Leslie Osborn**

**Lead Financial Officer: Julia Southwick**

**Alarm Locksmith Program**

*The Oklahoma Department of Labor regulates locksmiths, closed circuit televisions, access controls, burglar alarms, fire alarms, and sprinkler and nurse calls to protect the safety and welfare of the public.*

**Elevator Program**

*The Department of Labor, in order to protect public health and safety, has jurisdiction to ensure that elevators, escalators, moving sidewalks and similar devices are installed, maintained, and regularly inspected in compliance with recognized safety standards and codes to protect the safety of the public.*

**Amusement Ride Program**

*Inspectors from the Oklahoma Department of Labor inspect all amusement rides at permanent amusement parks annually and all mobile amusement rides are inspected every time that they are moved. Additionally, inspectors with the Oklahoma Department of Labor perform surveillance of amusement rides during the year to ensure that the rides are being operated in accordance with state law.*

**Boilers, Pressure Vessels and Hot Water Heaters Program**

*The Oklahoma Department of Labor has jurisdiction over high-pressure boilers, low pressure steam and hot water boilers, other pressure vessels and licensing requirements for firms engaged in the repair, service and installation of boilers and pressure vessels,. All boilers are to be inspected by either the state or an authorized insurance company at least once a year for public safety.*

**Welder Program**

*The Department of Labor certifies weld test facilities and licenses welding inspectors and welders to ensure the safety of the public.*

**Alternative Fuels Program**

*This program provides education, training, and awareness within the State of Oklahoma to ensure public safety in the expansion of the use of alternative fuels in the transportation sector. The Department of Labor has the responsibility of ensuring the certification process shall be uniform and practical in nature and shall be sufficiently strict to test the qualification and fitness of any applicant seeking certification to install, modify, repair, or renovate equipment used in the conversion of any fossil fuel engine fueled by an alternative fuel.*

**Licensing Division**

*Licensing is responsible for processing all licenses and certificates issued by all programs within the Department of Labor. The Licensing program receives and processes all fees received by the agency and is responsible for tracking and recording such fees, issuing receipts and depositing all incoming monies.*

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

**FY'20 Budgeted Department Funding By Source**

Dept. #	Department Name	Appropriations	Federal	Revolving	Local <sup>1</sup>	Other <sup>2</sup>	Total
10-01	Administration	869,876	100,323	8,821		165,086	\$1,144,105
20-01	Communications	70,534	21,095	5,037		20,000	\$116,666
30-01	Asbestos Abatement	99,107	235,767	75		37,657	\$372,606
30-02	OSHA	73,120	1,037,825	4,975		122,694	\$1,238,614
30-03	PEOSH	466,103		575		56,769	\$523,447
30-04	Child Labor	1,154		72,460		9,286	\$82,900
30-05	Statistics & Research	32,979	40,722			6,621	\$80,322
40-06	Employment Standards	375,341		39,678			\$415,019
40-20	Legal Services	182,017	51,458	17,396			\$250,871
50-01	Alarm & Locksmith	542		445,310			\$445,852
50-02	Elevators	813		777,370		91,931	\$870,114
50-03	Amusement Rides	542		495,633		92,571	\$588,746
50-04	Boilers, PV's & HWH's	22,904		971,441		42,534	\$1,036,879
50-05	Welders Act					8,622	\$8,622
50-06	Alternative Fuels	40,271		307,370			\$347,641
50-07	Licensing	6,251		480,266			\$486,517
88	Information Services Division	397,140		777,710		434,841	\$1,609,691
							\$0
<b>Total</b>		<b>\$2,638,693</b>	<b>\$1,487,190</b>	<b>\$4,404,117</b>	<b>\$0</b>	<b>\$1,088,612</b>	<b>\$9,618,612</b>

1. Please describe source of Local funding not included in other categories:

2. Please describe source(s) and % of total of "Other" funding if applicable for each department:

Special Occupational Health and Safety Fund - Dedicated fund that is certified at the Board of Equalization

**FY'19 Carryover by Funding Source**

	Appropriations	Federal	Revolving	Local <sup>1</sup>	Other <sup>2</sup>	Total
FY'19 Carryover	\$872,820	\$0	\$0	\$0		\$872,820
	\$0					\$0

1. Please describe source of Local funding not included in other categories:

2. Please describe source(s) and % of total of "Other" funding if applicable:

**What changes did the agency make between FY'19 and FY'20?**

**1.) Are there any services no longer provided because of budget cuts?**

All agency services continue with same FTE levels.

**2.) What services are provided at a higher cost to the user?**

None

**3.) What services are still provided but with a slower response rate?**

ODOL continues to prioritize complaints, accidents & initial inspections to ensure they are met in a timely manner.

**4.) Did the agency provide any pay raises that were not legislatively/statutorily required?**

ODOL adjustments were made in positions that took some of the added responsibilities from three middle management positions that were eliminated through VOBO's.

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

**FY'21 Requested Funding By Department and Source**

Dept. #	Department Name	Appropriations	Federal	Revolving	Other <sup>1</sup>	Total	% Change
10-01	Administration	\$869,876	\$100,323	\$8,821	\$165,086	\$1,144,105	0.00%
20-01	Communications	\$70,534	\$21,095	\$5,037	\$20,000	\$116,666	0.00%
30-01	Asbestos Abatement	\$99,107	\$235,767	\$75	\$37,657	\$372,606	0.00%
30-02	OSHA	\$73,120	\$1,037,825	\$4,975	\$122,694	\$1,238,614	0.00%
30-03	PEOSH	\$466,103	\$0	\$575	\$56,769	\$523,447	0.00%
30-04	Child Labor	\$1,154	\$0	\$72,460	\$9,286	\$82,900	0.00%
30-05	Statistics & Research	\$32,979	\$40,722	\$0	\$6,621	\$80,322	0.00%
40-06	Employment Standards	\$375,341	\$0	\$39,678	\$0	\$415,019	0.00%
40-20	Legal Services	\$182,017	\$51,458	\$17,396	\$0	\$250,871	0.00%
50-01	Alarm & Locksmith	\$542	\$0	\$445,310	\$0	\$445,852	0.00%
50-02	Elevators	\$813	\$0	\$777,370	\$91,931	\$870,114	0.00%
50-03	Amusement Rides	\$542	\$0	\$495,633	\$92,571	\$588,746	0.00%
50-04	Boilers, PV's & HWH's	\$22,904	\$0	\$971,441	\$42,534	\$1,036,879	0.00%
50-05	Welders Act	\$0	\$0	\$0	\$8,622	\$8,622	0.00%
50-06	Alternative Fuels	\$40,271	\$0	\$307,370	\$0	\$347,641	0.00%
50-07	Licensing	\$6,251	\$0	\$480,266	\$0	\$486,517	0.00%
88	Information Services Division	\$397,140	\$0	\$777,710	\$434,841	\$1,609,691	0.00%
<b>Total</b>		<b>\$2,638,693</b>	<b>\$1,487,190</b>	<b>\$4,404,117</b>	<b>\$1,088,612</b>	<b>\$9,618,612</b>	<b>0.00%</b>

1. Please describe source(s) and % of total of "Other" funding for each department:

**Special Occupational Health and Safety Fund - Dedicated fund that is certified at the Board of Equalization**

**FY'21 Top Five Operational Appropriation Funding Requests**

Request by Priority	Request Description	N/A	Appropriation Request Amount (\$)
Request 1:	FLAT/ 0% change		FLAT/0% change
Request 2:			
Request 3:			
Request 4:			
Request 5:			
<b>Top Five Request Subtotal:</b>			<b>\$0</b>
<b>Total Increase above FY-20 Budget (including all requests)</b>			<b>\$ -</b>
Difference between Top Five requests and total requests:			\$0

**Does the agency have any costs associated with the Pathfinder retirement system and federal employees?**

Estimate the cost with the Pathfinder retirement system of 4 Federal Employees in FY'20-22 : \$37,290.00

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

**How would the agency be affected by receiving the same appropriation for FY '21 as was received in FY '20? (Flat/ 0% change)**

All agency services would continue with emphasis focused on prioritization of complaints, accidents and initial inspections.

**How would the agency handle a 2% appropriation reduction in FY '21?**

Resources would be allocated based on a tier-level approach to meet the agency mission to protect and promote the safety and health of Oklahomans. The focus of resources would be on complaint and accident investigations, and then on initial inspections. The next level would be the periodic and annual inspections.

**Is the agency seeking any fee increases for FY '21?**

	Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1		
Increase 2		
Increase 3		

**What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?**

Description of request in order of priority	Appropriated Amount (\$)	Submitted to LRCPC? (Yes/No)
Priority 1		
Priority 2		
Priority 3		

**Federal Funds**

CFDA	Federal Program Name	Agency Dept. #	FY 20 budgeted	FY 19	FY 18	FY 17	FY 16
17.005	Census of Fatal Occupational Injuries Surgery	30-00005	\$40,489	\$35,983	\$33,322	\$30,901	\$33,100
17.504	OSHA Consultation Program	30-00002	\$1,249,700	\$1,346,187	\$1,196,254	\$1,269,848	\$1,235,461
66.701	Toxic Substance Compliance Monitoring	30-00001	\$200,000	\$186,161	\$176,277	\$213,223	\$193,273

**Federal Government Impact**

1.) How much federal money received by the agency is tied to a mandate by the Federal Government?

**There are no federal funds tied to a specific mandate, however the agency receives 3 federal grants.**

2.) Are any of those funds inadequate to pay for the federal mandate?

N/A

3.) What would the consequences be of ending all of the federal funded programs for your agency?

**This would result in a loss of services, including assisting Oklahoma private companies in reducing federal OSHA fines, Asbestos removal from public schools and private buildings, and the collection of workplace injury data.**

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

**Lead Administrator: Commissioner Leslie Osborn**

**Lead Financial Officer: Julia Southwick**

4.) How will your agency be affected by federal budget cuts in the coming fiscal year?

**ODOL would reduce services consistent with the reduction of funding**

5.) Has the agency requested any additional federal earmarks or increases?

**NO**

**FY'20 Budgeted FTE**

Division #	Division Name	Supervisors	Classified	Unclassified	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$\$\$
10-01	Administration	4	1	9.4	1	5.4	4
20-01	Communication			1		1	
30-01	Asbestos Abatement	0.6	3.6			3.6	
30-02	OSHA	1	8.55	3.86	1.46	10.95	
30-03	PEOSH	0.8	3.4	2.3	0.9	4.8	
30-04	Child Labor		1			1	
30-05	Statistics & Research	0.2	0.05	0.82	0.87		
40-06	Employment Standards	1	3	1.8		4.8	
40-20	Legal	1		2.2	0.2	1	1
50-01	Alarm & Locksmith	0.4	4.75	0.2	0.95	4	
50-02	Elevators	0.25	8.05	1.5	3	6.55	
50-03	Amusement Rides	0.25	4.15	1.97	2.72	3.4	
50-04	Boilers, PV's & HWH's	0.25	8.7	2.35	3.05	8	
50-06	Alternative Fuels	0.25	2.5	0.6	2.1	1	
50-07	Licensing	1	6.25	1	0.25	7	
<b>Total</b>		<b>11</b>	<b>55</b>	<b>29</b>	<b>16.5</b>	<b>62.5</b>	<b>5</b>

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

FTE History						
Division #	Division Name	2020 Budgeted	2019	2018	2016	2011
	Administration	10.40	7.98	8.00	11.00	7
	Communication	1.00	1.00	1.00	0.00	
	Asbestos Abatement	3.60	3.60	4.00	4.00	10
	SSD				23.00	23
	OSHA	12.41	9.66	9.00	11.00	17
	PEOSH	5.70	4.40	4.00	5.00	5
	Child Labor	1.00	1.00	1.00	0.00	
	Statistics & Research	0.87	0.20	1.00	1.00	6
	Employment Standards	4.80	4.80	5.00	6.00	20
	Legal	2.20	2.20	2.00	2.00	
	Alarm & Locksmith	4.95	3.75	5.00	5.00	
	Elevators	9.55	7.35	8.00	0.00	
	Amusement Rides	6.12	6.85	7.00	0.00	
	Boilers, PV's & HWH's	11.05	7.34	7.00	0.00	
	Alternative Fuels	3.10	3.60	4.00	4.00	
	Licensing	7.25	11.78	6.00	8.00	
<b>Total</b>		<b>84.00</b>	<b>75.51</b>	<b>72.00</b>	<b>80.00</b>	<b>88</b>

Performance Measure Review					
	FY 19	FY 18	FY 17	FY 16	FY 15
<b>Efficient &amp; economical business practices</b>					
Conduct a cost analysis on programs improve ROI process	60-70%	60-70%	60-70%	50%	40%
<b>Enhance current programs</b>					
Evaluate program authority Restructure and deploy resources Determine relevancy	70%	70%	50%	50%	40%
<b>Technology</b>					
Integrate and improve technology Evaluate technology needs Implement recommendations *waiting on OMES development of online licensure, invoicing, and inspection program	20-30%	20-30%	20-30%	50%	

**FY21 Budget Performance Review  
Oklahoma Department of Labor - 405**

Lead Administrator: Commissioner Leslie Osborn

Lead Financial Officer: Julia Southwick

**Revolving Funds (200 Series Funds)**

<i>Please provide fund number, fund name, description, and revenue source</i>	<b>FY'17-19 Avg. Revenues</b>	<b>FY'17-19 Avg. Expenditures</b>	<b>June '19 Balance</b>
<b>ODOL Revolving Fund (200)</b>			
Fee for amusement ride, asbestos, elevators and boilers licensing and inspections	\$2,102,133	\$1,196,174	\$2,960,078
<b>Safety Consultation &amp; Revolving Fund (215)</b>			
Percentage of Work Comp formula to administer worker safety programs	\$0	\$117,144	\$125,481
<b>ODOL Administrative Penalty Revolving Fund (220)</b>			
Program Fines and Penalties	\$7,425		\$14,850
<b>Alternative Fuels Technician Certificate Revolving Fund (251)</b>			
Certificate fees for alternative fuels technician and installers	\$31,348	\$11,858	\$126,431
<b>Alternative Fuels Inspection Fee &amp; Fines Revolving Fund (252)</b>			
Fees for inspection of alternative fuel fill stations and related enforcement actions	\$77,278	\$16,364	\$197,338
<b>CNG Conversion Safety &amp; Regulation Fund (255)</b>			
Percentage of tax rebate for vehicle conversion to CNG	\$509,130	\$364,193	\$898,908
<b>Alarm &amp; Locksmith Industry Revolving Fund (280)</b>			
Fee from Alarm, Locksmith, & Fire Sprinkler licenses	\$591,637	\$395,230	\$956,397