

Agency Strategic Plan

Department of Labor & Industry (181)

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Mission and Vision

Mission Statement

It is the mission of the Virginia Department of Labor and Industry to make Virginia a better place in which to work, live, and conduct business. We will achieve this goal by promoting safe, healthful workplaces, best employment practices, job training opportunities through registered apprenticeship, the protection of children from hazardous employment, and safe operation of boiler and pressure vessels.

Vision Statement

We envision the Department of Labor and Industry as an agency that protects workers, the public, and businesses in the Commonwealth. We are committed to protecting children from working in hazardous occupations. We are working to enhance Virginia's competitive advantage through promoting a strong skilled labor base. We see ourselves as improving workplace productivity and reducing costs by furthering sound safety and health practices, as well as administering fair and timely enforcement actions against those who violate Virginia's workplace laws. We protect the citizens of Commonwealth from the hazards associated with unsafe boiler and pressure vessel operation, lead exposure, and asbestos exposure. We will use our strategic planning process to show our customers and taxpayers that we are genuinely caring experts who promptly and competently address their concerns, and who provide conscientious stewardship of public funds.

Agency Values

- Respecting the Department's 109 years of tradition.
In dealing with our customers and with each other, we value and respect the Department's 109 year tradition of integrity and ethical standards.

Executive Progress Report

Service Performance and Productivity

- *Summary of current service performance*

DOLI measures its service performance through performance measures tied to its strategic plan goals and objectives.

DOLI's first goal is to provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public.

DOLI's first objective under this goal is to work toward reducing workplace fatalities in the high-hazard construction industry.

DOLI uses as a measure the U.S. Department of Labor (USDOL) tables that record yearly rates of fatality per 100,000 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track this measure. The 2007 fatality rates are the rates that were published in 2007 by the U.S. Department of Labor (USDOL), Bureau of Labor Statistics (BLS). The figures published in 2007 are based on the latest statistics available, figures that were collected in calendar year 2005. There is a time lag in the actual occurrence of the fatalities and the gathering of data and the publication of fatality rates.

A second objective under this goal is to work toward reducing workplace injuries and illnesses in the high hazard construction industry.

DOLI uses as a measure The U.S. Department of Labor (USDOL), Bureau of Labor Statistics (BLS) tables that record rates of injury/illness per 100 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track data on illnesses and injuries.

A third objective under this goal is to respond quickly to all safety and health complaints.

DOLI uses the Integrated Management Information System (IMIS) database to measure the percentage of occupational safety and health complaints which are either initiated within one business day or for which an on-site investigation is conducted within five business days.

DOLI is also measuring the number of occupational safety and health hazards identified. As safety and health inspections are conducted by compliance officers and consultants, identified hazards are recorded and maintained in the VOSH IMIS Compliance data base, and the Voluntary Compliance data base.

A fourth objective under this goal is to work toward reducing workplace injuries and illness in the asbestos and lead abatement industry.

DOLI measures the percentage of asbestos and lead contractors inspected each year. To obtain this percentage, we

collect data from the Lead Asbestos Removal System (LARS) and the VOSH Integrated Management Information System (IMIS).

A fifth objective under this goal is to respond quickly to health and safety complaints involving asbestos and lead.

DOLI uses the Integrated Management Information System (IMIS) database to measure what percentage of responses to health/safety complaints involving lead and /or asbestos are investigated within one business day.

A sixth objective under this goal is to eliminate, or mitigate, injuries, fatalities, and property damage through increasing the numbers of operational certificates issued for pressurized, temperature controlled boilers and pressure vessels.

DOLI measures the number of warning notices issued for previously uninspected boiler and pressure vessel objects by using data from written reports completed by each Boiler and Pressure Vessel State Inspector.

DOLI is also measuring the number of operational certificates issued for high pressure, high temperature boilers and pressure vessels by counting the number of acceptable inspection reports that result in a Certificate of Inspection being issued by the Boiler and Pressure Vessel program.

DOLI's second goal is to enhance the development of highly skilled workers for Virginia's economy.

The objective under this goal is to increase the numbers of apprentices enrolled in Virginia's Registered Apprenticeship Programs.

DOLI measures the number of registered apprentices by tracking the participants in registered apprenticeship programs and recording this information in an Agency-based program database. The numbers are accumulated and reported at the end of each state fiscal year.

DOLI's third goal is to protect children from serious injury or death while employed.

The objective under this goal is to reduce the number of children working in hazardous or unhealthy occupations in Virginia.

DOLI measures the number of revoked child labor permits by counting them.

DOLI's fourth goal is to provide efficient resolution of wage issues.

The objective under this goal is to advance the fair and efficient investigation of wage complaints.

DOLI measures the percentage of valid wage investigations that are completed within 90 days by entering each wage claim the agency receives into the Labor Law Database, which records the beginning and closing dates of the investigation. The Agency follows due process requirements which provide for numerous multi-week response times.

DOLI's fifth goal is to provide excellent customer service through the effective performance of DOLI personnel.

DOLI's objective under this goal is to ensure the efficient utilization and management of resources in the performance of the agency mission and in a manner consistent with applicable state and federal requirements

DOLI uses the measures provided by External Audit/Evaluation Reports and Management Scorecard. The Management Scorecard rates state agency performance in the areas of Human Resources, Government Procurement, Financial Management, IT/Enterprise Architecture Initiatives, Performance Management, and Environmental & Historic Resource Stewardship. There are three possible scores on the Management Scorecard – Meets Expectations; Progress toward Expectations or Below Expectations. DOLI meets expectations in all areas.

DOLI reports performance of its core business and statutory responsibilities in Virginia Performs. An evaluation audit of measures and performance data found that information was reported timely and accurately. The Agency's success in fulfilling its mission to customers and stakeholders is reported on the Virginia Performs state website.

- *Summary of current productivity*

DOLI's productivity has increased significantly despite repeated cuts in funding and an enormous decrease in the number of Agency employees. In fact, funding and FTE support for the Agency's programs has declined while at the same time there has been an increased demand for Agency services. Nonetheless, DOLI's staff have constantly worked to enhance the quality of their services to the public. Productivity for the Agency has remained high due to the hard work and dedication of employees who believe in DOLI's mission to make Virginia a better place to live, work, and conduct business. Over the years, DOLI has provided an ever greater number of services for public safety and job development to a continually increasing number of customers in Virginia's diverse workplaces, businesses and industries.

Therefore, in spite of the challenges faced by the Agency and because of our staff's commitment to excellent service, DOLI's employees have continued to promote job opportunities for rising numbers of Registered Apprentices; reduce

worker fatalities and workplace injuries (which reduces worker's compensation costs and costs for lost worker productivity); plan for and encourage both economic development and workplace safety; resolve unpaid wage claims; and reduce the likelihood of boiler explosions through a safety permitting program. We measure the success of our productivity through annual comparative analysis and personnel evaluations. DOLI has increased productivity using strategies that include the improved use of technology and technical advances; development of strategic partnerships; realignment of regional boundaries; streamlining processes to achieve delivery of services in the shortest time; providing access to the Agency's program information through web technology; establishing uniform performance goals; and establishing an in-house registered apprenticeship program for VOSH inspectors.

Reflecting the rise in the Agency's productivity, DOLI has provided these increased services with fewer employees and resources than in past years. During the strong economic growth and expansion that occurred during the 1990's, there was virtually no growth in funding for DOLI's programs. However, the Agency shared in the statewide budget cuts that have occurred during the current decade.

The Virginia Department of Labor and Industry (DOLI) currently has an operational budget of \$13.9 million dollars, with 183.00 FTEs. DOLI's FTE allocation has declined from 227.00 to its current 183.00.

Without an increase in financial resources, DOLI will face an extreme budget shortfall in the coming biennium and may be unable to maintain its current level of services. DOLI is supported by the general fund, special fund revenues and by federal grant funds. Federal funds were permanently reallocated due to a lack of matching state dollars. In addition, the Agency is not permitted to retain the fees collected by DOLI's programs. Fees and penalties collected by the Agency are returned to the state's general fund and are not used to provide funding for the Agency. Moreover, budget allocations for technology, staff training, and salaries have not kept pace with rising costs. For all of these reasons, DOLI's budget is woefully inadequate. DOLI lacks the funds to support mandatory VITA services, investment in new technology to improve data collection and tracking, staff training and employee salaries. Funding shortfalls have become extreme. Furthermore, with continuing increases in Virginia in the numbers of employers and employees (both English speaking and non-English speaking), DOLI will need much more money simply to maintain the current level of services. There is a desperate need for increased state funding to address safety and health staffing levels needed for Virginia's business and employment growth; and a need for steeply increased funding for technology solutions (especially VITA), as well as a need for funds for other programs where there is a strong history of a positive return on investment.

Initiatives, Rankings and Customer Trends

- *Summary of Major Initiatives and Related Progress*

DOLI has major initiatives underway to fulfill the Agency's mandated mission of promoting safe workplaces; addressing shortages in the skilled workforce; protecting children from hazardous employment; fair payment of wage practices; safe operation of boilers and pressure vessels; and, implementing best practices as custodians of public funding. Highlights are:

There have been increases in registered boiler and pressure vessels to record numbers. During state fiscal year 2007, 34,993 Certificates of Inspection were issued by the Boiler and Pressure Vessel program. For each of the last few years, well over 30,000 Certificates of Inspection were issued per year.

The growing economy and worker shortages have resulted in an increase in interest and participation in Registered Apprenticeship programs. The total number of registered apprentices increased by more than 6% between the end of state fiscal year 2006 and the end of state fiscal year 2007 for a total of 13,859 registered apprentices by the end of the 4th quarter of fiscal year 2007.

The VOSH program continues to promote and certify new participants in Virginia's Cooperative Safety and Health programs. Five new certifications were approved in 2007, and nine worksites were recertified.

A payment of wage initiative which achieved speedier payment resolution for certain selected complaints was continued in the Labor Law program, reducing the average number of days required to complete an investigation of a valid wage claim.

Through intense agency efforts to ensure safe worksites, workplace injuries and illnesses in Virginia's high-hazard construction industry have decreased.

An initiative is underway to reduce the number of children working in hazardous occupations by eliminating permits issued for children working in those occupations by providing outreach to employers and review and retraining to issuing officers.

Construction activities in the state continue to expand. As a result, the number of employees working in construction has grown. An emphasis has been placed on reducing fatalities in the construction industry, by focusing on the four leading causes of fatalities: falls, struck-by, crushed-by, and electrocutions/electrical injuries.

The VOSH program's apprenticeship training program for Safety/Health Compliance Officers expanded in 2006 to include Safety/Health Consultants. Since the inception of the program in 2005, VOSH has produced and retained seven

graduates who earned Journey-Level credentials through a combination of course work, on-the-job training and expertise. In addition, the Department of Veterans Services approved these apprenticeships for on-the-job training benefits in the form of a monthly stipend under the Montgomery GI Bill for eligible military veterans.

In 2005, DOLI maintained a 94% rate of worker safety and health complaints in which investigations were initiated within one day or an on-site inspection was conducted within five business days. For 2006 and 2007, the rate increased to 99%.

DOLI expanded outreach opportunities and recruitment to the Hispanic community using public service radio announcements.

DOLI has utilized technology and electronic media to extend program accessibility via the Internet, as well as making on-going enhancements and updates to the Agency website at www.doli.virginia.gov

DOLI's twelfth annual VOSH Conference, (2007) drew 378 registered attendees, up from 360 registered attendees at the eleventh annual VOSH Conference (2006).

DOLI filmed a public service announcement by Governor Kaine, which was shown on television and on the web.

DOLI has utilized public service announcements on the radio and the web to publicize the dangers of heat related illness.

- *Summary of Virginia's Ranking*

DOLI's 2007 Management Scorecard evaluation received the highest level of attainment for the Agency's administrative programs.

Outstanding Safety Achievement Award for safe driving, presented in 2007.

DOLI employees received the Governor's Healthy Virginian Award for efforts to improve health at the workplace.

DOLI received a Certificate of Appreciation from the AARP Foundation for promoting employment opportunities for older persons.

DOLI is recognized by the United States Secretary of Labor as the official apprenticeship agency for federal apprenticeship purposes and serves as the registration agency for apprentices and apprenticeship training programs.

DOLI's Boiler Safety Division has been recognized by the Executive Director of the National Board of Boiler and Pressure Vessel Inspectors for its support of the Virginia Boiler and Pressure Vessel Inspectors Association, a non-profit organization comprised of inspectors, owners, boiler operators and repair companies interested in maintaining and increasing their knowledge of boilers and pressure vessels.

Section 18 of the federal Occupational Safety and Health Act of 1970 (the Act) encourages States to develop and operate their own job safety and health programs. OSHA approves and monitors State plans. Virginia is one of 26 States and jurisdictions which operates its own State Plan. The ultimate accreditation of a State Plan is called final approval. When OSHA grants final approval to a State Plan under section 18(e) of the Act, it relinquishes its authority to cover occupational safety and health matters covered by the State Plan. Virginia's State Plan was granted final approval on November 30, 1988.

DOLI is a member of the Occupational Safety and Health State Plan Association (OSHPA). OSHPA is an organization of the 26 states and territories that operate their own occupational safety and health programs through grants with the U. S. Department of Labor.

The attorneys who work in DOLI's Office of Legal Services are members of the State OSHA Lawyer Organization (SOLO). SOLO consists of attorneys who work for State and territorial occupational safety and health programs.

- *Summary of Customer Trends and Coverage*

Construction in the Commonwealth continues to increase. In 2006, 8,613 hazards were identified by VOSH inspections. In 2006 and 2007, 99% of occupational safety and health complaints were responded to within one day.

Service industries are increasing, while manufacturing in the Commonwealth has declined.

Numbers of employees and employers are increasing.

Demand for skilled workers exceeds supply. This is reflected in the rising numbers of participants in registered apprenticeship training programs across the Commonwealth. There were 13,859 registered apprentices by the end of the 4th quarter of 2007.

Increases in multi-lingual customers, and non-English speaking customers. This is an accelerating trend that we noted in our last Strategic Plan. DOLI's staff are interacting with more and more multi-lingual and non-English speaking

individuals across all of the Agency's programs.

(All Virginia residents are potentially served by DOLI's programs: Occupational Safety and Health, Registered Apprenticeship, Labor and Employment Law, and Boiler and Pressure Vessel programs. We are not able at this time to track total numbers of individual people served.)

Future Direction, Expectations, and Priorities

- *Summary of Future Direction and Expectations*

We have observed several trends which will have a major impact on the products and services which we provide. First of all, Virginia's economy is expanding and the population is growing. Virginia's economy is increasingly affected by globalization. At the same time, there are many more workers nearing retirement age and far fewer younger workers to replace them. This condition has already led to a shortage of workers to fill available positions, both within DOLI and within the economy as a whole. At least some jobs may be filled by older persons, possibly retired persons who are working part-time, persons with disabilities, and immigrants.

Virginia's expanding economy and rapidly changing demographics will engender the creation of many new businesses, particularly small businesses. Both globalization and changing demographics will afford new markets to the businesses served by DOLI, as well as generating the creation of new businesses to meet emerging needs created by globalization and changing demographics.

The factors of globalization and changing demographics will affect the workforce and employers in Virginia. We expect to see a larger percentage of youth and older workers in the workforce. We also expect to see ever-increasing numbers of non-English speakers, both as employees and as employers. In addition, changes in demographics may engender changes in types of businesses and workplaces. For example, we may see businesses that cater specifically to particular ethnic or national groups or to specific age groups. Employers may alter workplace environments or processes to take into account the needs of older workers or workers with disabilities.

In addition to the factors noted above, technology continues to advance. Advances in technology, coupled with the globalization of the economy and the workforce, will engender ever more complex definitions of what it means to "work in Virginia."

Of crucial importance to DOLI is the crisis in recruitment and retention of skilled employees in our Northern Virginia offices, which is at a critical level due largely to non-competitive salaries. Due to the high turnover rate of experienced VOSH employees in the Northern Virginia offices, the region's ability to meet service demands is of grave concern and can potentially have a negative impact on the Agency's ability to meet the expectations established in the contractual agreement with the U.S. Department of Labor which could subsequently result in a loss of federal funds.

- *Summary of Potential Impediments to Achievement*

DOLI has a desperate need for bilingual employees, especially employees who speak Spanish. For the last several years, DOLI's staff have noted a trend in Virginia toward increasing numbers of employers and employees who do not speak English or who are not able to read and write English. We are far short of the number of bilingual employees that are needed.

We anticipate that customer assistance requests and inquiries will increase as the economy continues to grow. We already respond to many assistance requests and inquiries each week. On the other hand, we also find that there is more of a need for DOLI's services when there is a down-turn in the economy, such as wage complaints and workplace injuries. In addition, we are receiving more and more inquiries and requests made via the internet. The Agency must have up-to-date information technology to continue to be responsive to these inquiries and requests for assistance.

DOLI must use older technology and/or labor intensive processes to complete tasks that are part of the Agency's mandated mission. For example, we are required to use outdated software from federal OSHA that must constantly be adapted. In addition, the Agency's technology resources are aging and outmoded. The Labor and Employment Law Division's process for issuing child labor permits is manual and paper driven. We do not have the resources to replace this system with a more efficient system.

Thirty-one percent (31%) of the Agency's workforce has fewer than five years of service. This figure jumps to 68% for the Agency's regional and field offices located in Northern Virginia where 15 out of 22 employees have fewer than five years of service and 10 of these employees have less than two years of state and agency service. As a result the Agency will experience increased spending for recruitment, training and retention of incumbents occupying positions identified as a high risk for turnover. In addition, the limited number of senior-level employees creates a shortage of training mentors which results in over-burdening the few remaining senior-level team members.

Overall, retention of qualified employees is of major concern. The Agency is facing severe salary compression statewide, but it is a critical issue in Northern Virginia, because of the high cost of living in the D.C. metropolitan area, which is significantly higher than the rest of the Commonwealth. Rising incomes in the private sector have already made it difficult to recruit and retain the highly skilled employees DOLI needs, especially for the VOSH program. Noncompetitive salaries contribute to low morale, decreased productivity and poor staff retention. This is especially true for more recently hired employees, and this problem is compounded by inadequate resources for timely training and

development. Moreover, once fully trained, DOLI's compliance officers have very marketable skills that are applicable and sought after in private industry. Private industry has a much higher pay scale for comparable positions.

Retirement of qualified employees is also concern, especially for the VOSH program, which is beginning to undergo significant employee turnover as greater numbers of experienced staff, "baby boomers," retire and a smaller pool of younger, qualified workers is available to fill vacant positions. The median age of DOLI employees is 50, with 29.34% of employees age 50 and over, up to age 76. For the year 2007, 18 employees are eligible for unreduced benefits. Thirty-seven (37) employees will be eligible for unreduced retirement benefits over the next five years, with the highest concentrations occurring in the Professional, Para-Professional and the Office/Clerical Occupational Categories. The Agency's Workforce Planning Reports reveal the Public Safety Compliance career group's retirement eligibility will be available to 19 of the Agency's 79 positions which will significantly impact the Occupational Safety/Health and Labor & Employment Law programs. In addition, 4 employees in the Registered Apprenticeship program are currently eligible for unreduced benefits. These projected retirements will also place a substantial burden on the Agency's general fund monies due to the high costs of the leave payouts.

Service Area List

Service Number	Title
181 534 09	Apprenticeship Program
181 552 06	Labor Law Services
181 555 01	Virginia Occupational Safety and Health Services
181 555 02	Asbestos and Lead Safety Services
181 562 01	Boiler and Pressure Vessel Safety Services
181 599 00	Administrative and Support Services

Agency Background Information

Statutory Authority

The Code of Virginia, Chapter 1 of Title 40.1, provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

- The Code of Virginia, Chapter 1 of Title 40.1, at subsection 5 of §40.1-6, authorizes the Commissioner "to appoint such representatives as may be necessary to aid him in his work; their duties shall be prescribed by the Commissioner."
- The Code of Virginia, Chapter 3 of Title 40.1, provides for the protection of employees. This chapter includes Virginia's Minimum Wage Act (§§40.1-28.8 to 40.1-28.12), Payment of Wages (§40.1-29), Equal Pay Irrespective of Sex (§40.1-28.6), Preventing Employment by Others of Former Employees (§40.1-27), Discharge of Employee for Absence Due to Work-Related Injury Prohibited (§40.1-27.1), Unlawful to Require Payment for Medical Examination as Condition of Employment (§40.1-28), Prohibition of Use of Certain Questions on Polygraph Tests for Employment (§40.1-51.4:3), and Prohibition of Use of Polygraphs in Certain Employment Situations (§40.1-51.4:4).
- The Code of Virginia, Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act, establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors.
- The Code of Virginia, Chapter 3.2 of Title 40.1 (§§40.1-51.20 through 40.1-51.22), establishes the Asbestos and Lead Notification Program as part of a larger program requiring licensing and certification of asbestos and lead contractors and workers by the Department of Professional and Occupational Regulation (DPOR) (§§54.1-500 through 54.1-517). The statute requires issuance of permits for removal contractors and inspection of each removal, installation or encapsulation project.
- The Code of Virginia, Chapter 3.3 of Title 40.1 (§§40.1-51.23 through 40.1-51.41), known as the Virginia Asbestos NESHAP Act, establishes the requirements for asbestos contractors to protect the general public and the environment from asbestos emissions during renovation and demolition activities.
- The Code of Virginia, Chapter 4 of Title 40.1, governs various aspects of employment, including certain actions of labor unions (§§40.1-52 to 40.1-54.2), denial or abridgement of right to work (§§40.1-58 to 40.1-69), and mediation and conciliation of labor disputes (§§40.1-70 to 40.1-75).
- The Code of Virginia, Chapter 5 of Title 40.1, governs all aspects of child labor. It establishes the minimum age for children to work in certain occupations, the hours of work for children, and the conditions of employment of children on farms, in gardens, and in orchards.
- Chapter 6 of Title 40.1 of the Virginia Code, known as the Voluntary Apprenticeship Act, provides the minimum requirements for apprenticeship programs. Section 40.1-125 of the Code of Virginia requires the Commissioner of Labor and Industry, with the advice and guidance of the Apprenticeship Council, to administer the provisions of the Voluntary Apprenticeship Act. Responsibility for implementing and administering voluntary apprenticeship in Virginia has been delegated by the U.S. Department of Labor (USDOL) to the state. The USDOL regulation, 29 CFR Part

29, "Labor Standards for the Registration of Apprenticeship Programs," requires the state program to have a State Apprenticeship Council with an "acceptable composition;" the state program to be established in the State Department of Labor or in that agency of state government having jurisdiction of laws and regulations governing wages, hours and working conditions; and the state agency presently recognized by BAT to have a state official empowered to direct the apprenticeship operation.

- The Virginia Apprenticeship Council is recognized as the regulatory and policy board for the program by the Code of Virginia, at §§40.1-117 to 40.1-118. The Council is authorized to promulgate regulations to govern apprenticeship agreements and deregistration procedures, and to establish standards.
- The Code of Virginia, at §§40.1-119 through 40.1-126, provides the foundation for the development of apprenticeship programs and sponsors in the Commonwealth. The apprenticeship program within DOLI implements the regulations established by the Council.
- 29 USC § 50, known as the Fitzgerald Act, is the federal statute which authorizes the U. S. Secretary of Labor to formulate and promote labor standards to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.
- The Code of Virginia, at §40.1-22 through 40.1-51.4:5, authorizes the Virginia Occupational Safety and Health (VOSH) Program. The Virginia Safety and Health Codes Board is established by the Code of Virginia, at §40.1- 22, as the regulatory and policy board for the Virginia Occupational Safety and Health Program, the Asbestos and Lead Notification Safety Program, and the Boiler and Pressure Vessel Safety Program. The Board is authorized to establish regulations governing occupational safety and health, the asbestos and lead safety program, and the construction, installation, maintenance, and inspection of boiler and pressure vessels.
- The responsibilities of the Virginia Occupational Safety and Health (VOSH) Program are provided in the Code of Virginia, at §§40.1-1, 40.1-2, 40.1-3, 40.1-6, and §§40.1-49.3 through 40.1-51.4:2. Although Virginia is not mandated by Federal law or regulation to have an occupational safety and health program, responsibility in Virginia has been delegated by the U. S. Department of Labor (USDOL) Occupational Safety and Health Administration (OSHA) to the state through final approval of the Virginia State Plan.
- The Code of Virginia, at §15.2-910, provides that a local government may adopt an ordinance requiring boiler operators to obtain a certificate from the local governing body. This section directs the Safety and Health Codes Board to establish standards to be used in determining an applicant's ability, proficiency, and qualifications.
- The Code of Virginia, §§59.1-406 through 59.1-414, known as the Overhead High Voltage Line Safety Act, promotes the safety and protection of a person or persons engaged in work or activity in the vicinity of overhead high voltage lines.
- The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply for and receive approval of a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. The requirements for a State Plan are found in Section 18 of the federal Occupational Safety and Health Act of 1970 and in federal regulation 29 CFR 1902, entitled "State Plans for the Development and Enforcement of State Standards."
- Section 18(c)(7) of the Occupational Safety and Health Act of 1970, and federal regulation 29 CFR 1902.3(k), requires states implementing their own occupational safety and health program to ensure that employers covered by the program will maintain records and make reports to the USDOL's Assistant Secretary for Occupational Safety and Health containing statistical information pertaining to work related deaths, injuries and illnesses. This law and regulation authorize Virginia to conduct the "Annual Survey of Occupational Injuries and Illnesses" and the "Census of Fatal Occupational Injuries."

Customers

Customer Group	Customers served annually	Potential customers annually
Agency Vendors	144	160,000
Apprentices	12,299	13,037
Asbestos and Lead Abatement Contractors	320	320
Asbestos and Lead Abatement Workers	3,501	3,501
Attorneys	2,300	26,278
Employees	3,598,669	3,598,669
Employer Sponsors	2,056	2,179
Employers	209,903	209,903
Governmental Entities	465	465
Inspection Companies	23	27
Issuing Officers	1,500	1,500

Labor Organizations	75	75
Minors working in Virginia	15,000	484,000
News Organizations	2,600	2,600
Non-English Speaking Media Organizations	1	10
Owners/Users of boilers and pressure vessels	25,000	40,000
Parents	15,000	484,000
Potential Vendors and SWAM Contacts	38	38
Public	0	0
Related Instruction Coordinators	16	16
Safety and Health Codes Board	1	1
Virginia Apprenticeship Council	1	1
Volunteer Organizations	1	1

Anticipated Changes To Agency Customer Base Business Operations and the Changing Workplace

In the fourth quarter of 2006, there were 215,201 employers in Virginia (Virginia Employment Commission, Quarterly Census of Employment and Wages, 4th Quarter, October, November, and December 2006).

Some sectors of Virginia's economy will employ more workers while others will employ fewer. For example, in 2004, construction employed 231,075 workers. It is estimated that by 2014, construction will employ 262,265 workers. In 2004, manufacturing employed 298,648 workers. (Virginia Employment Commission, Industry and Occupational Projections 2004-2014)

Technology will make many jobs more efficient, so that fewer workers are needed in to produce the same amount of goods or products as in the past. Thus, we expect worker productivity to increase. The foreseeable result of such improved technology would be fewer workers in some occupations, as well as an increase in mechanization, with a possible concurrent need for new occupational safety and health standards. As a corollary development, new types of jobs and new occupations will be created.

We anticipate that the aging of the baby boomer generation will result in a shortage of workers, especially skilled workers. Some states face the prospect of more than 40% of state and local workers reaching retirement age in the next five to ten years. (Governing Magazine, September 2006) DOLI staff have noted that Virginia's strong economy and low unemployment have produced skilled labor shortages. Registered apprenticeships increase the supply of skilled workers.

DOLI anticipates that employers will be seeking ever more efficient work processes to lower costs. We expect participation in our Voluntary Protection Program (VPP) and Safety and Health Achievement Recognition Program (SHARP) to continue to increase, both in the private sector and in the public sector. Safer workplaces reduce injury rates and fatalities, as well as the number of violations per inspection, while simultaneously reducing reliance on VOSH inspection activities.

We expect that the economy will continue affect our work. In recent years, Virginia has experienced growth in numbers of employees and business establishments. The strong economy has drawn more new and inexperienced workers into the labor force. The recent downturn in the housing sector could change business trends. ("Home Sales, Prices Continue to Fall," MSNBC.com, September 25, 2007) If there is an economic slowdown that prompts businesses to economize, some businesses may attempt to cut corners by providing fewer protections for worker safety and health. Business startups and failures tend to increase inquiries, service demands in areas involving occupational safety and health, and payment of wage claims.

We anticipate that DOLI's Boiler and Pressure Vessel Division will continue to improve operational efficiencies, so that more boilers and pressure vessels will be inspected.

The Changing Demographics of Virginia's Workers

The changing workforce will affect our service delivery. In recent years, there have been higher numbers of non-English speaking workers and workers changing careers due to layoffs or factory closures, fluctuations in unemployment trends, more older workers, and fewer younger workers. In 2000, Virginia's total population was 7,078,515, with the largest age groups those 35-39 (610,810) and 40-44 (589,880). Virginia's projected total population for 2010 is 8,010,342, with the most numerous age groups those 45-49 (315,184 females, 302,737 males), 20-24 (284,095 females, 312,024 males), and 50-54 (303,929 females, 286,740 males). (Virginia Employment Commission, Virginia Statewide, from their website)

In 2000, foreign-born persons in Virginia were 8.1% of the population. (U. S. Census Bureau) By 2005, 10% of the state's residents were foreign-born. Since 1990, Asian and Hispanic populations have increased significantly, from about 2.6% of the population for each of these populations to almost 5% for the Asian population and almost 6% for the Hispanic population. ("Demographic Profile of Virginia," prepared for the Council on Virginia's Future, presented October 20, 2006, pp. 8 and 22) In some Virginia localities, demographics have changed more than in others. For example, the Hispanic

population of Prince William County in 2006 was almost 70,000, more than twice what it was in 2000. Non-Hispanic whites were about two thirds of the county’s population in 2000, but only a little more than one half in 2006. (“Whites a minority in 1 in 10 counties,” MSNBC.com 8/9/07, quoting the U. S. Census Bureau)

There has been a national trend in recent decades for employers to misclassify employees as either managers or independent contractors who are ineligible for overtime pay, while some employers have required workers to complete work tasks off-the-clock without pay, as a way of avoiding paying employees for overtime. In the last decade, there has been a proliferation of federal cases challenging these practices, with a number of rulings in favor of employees. (“More workers Suing Over Overtime Pay,” MSNBC.com, Business Week, September 24, 2007.) The rulings in these cases will be felt in Virginia, and could result in more payment of wage claims for our Labor and Employment Law Division.

There are increasingly frequent news reports about workers who are human trafficking victims and other undocumented workers. The protections offered by Virginia’s laws and regulations governing labor and employment, as well as occupational safety and health, extend to victims of human trafficking and undocumented workers. Trafficked persons, and some illegal immigrants, are frequently not paid for work they have done and may be forced to work in hazardous conditions that violate occupational safety and health laws and regulations. Trafficked minors may be forced to work in hazardous occupations from which they are barred by labor law statutes and regulations. It is important to provide these legal protections, even though there are laws to punish the criminal acts of human traffickers and even though undocumented immigrants are not in the U.S. legally. There have been instances within the United States of human traffickers who have enslaved their victims before being brought to justice by the authorities. Although this is not a common occurrence in Virginia, it could happen here. Anyone who becomes a victim of slavery in Virginia would be entitled to receive wages owed for work done.

General Public

We anticipate that we will continue to provide for the public safety by overseeing the inspection of boiler and pressure vessel devices. For state fiscal year 2007, 34,993 inspection reports resulted in a Certificate of Inspection being issued by the Boiler and Pressure Vessel Program. Also, for state fiscal year 2007, 880 warning notices were issued for previously uninspected boiler and pressure vessel objects. We expect that there will be a continuing need for inspection and certification of boilers and pressure vessels.

Registered Apprenticeship will continue to enhance Virginia’s economy. Registered Apprenticeship will also continue to protect the safety of the general public through thorough training of apprentices, for example, in training apprentice carpenters in proper carpentering techniques. For the fourth quarter of state fiscal year 2007, there were 13,859 registered apprentices in Virginia, already exceeding the Performance Measure Target for state fiscal year 2008 by more than 800 registered apprentices.

DOLI will continue to disseminate information via the Agency website as customers demand more access to program information and compliance guidelines.

We expect the general public customer base to increase. The numbers of employers and employees will rise as development moves into new areas. Virginia will continue to need skilled workers. Minors will need protection from hazardous employment. More boilers and pressure vessels will require certification. Growing numbers of employees and businesses may increase occupational injuries and illnesses as new, inexperienced workers join the labor force. Business startups and failures may increase service demands in areas involving labor and employment law, such as payment of wage claims.

Other Governmental Agencies

In the 2006 and 2007 General Assembly sessions, a number of bills dealt with (1) victims of human trafficking, and (2) illegal or undocumented immigrants. Some of these bills contained mandated requirements for DOLI. Based on recent trends, it appears likely that more bills will be introduced to deal with these issues in the future.

DOLI anticipates an increase in partnerships with other public entities. For example, our Voluntary Protection Program (VPP) already includes two state government sites, Augusta Correctional Center and Lunenburg Correctional Center. We hope to see future participation by other state government entities in this program.

Small, women, and minority owned (SWAM) owned vendor participation will increase as there is greater utilization of SWAM businesses.

Homeland security issues and concerns will impact safe workplace issues and other labor and employment concerns.

Partners

Partner	Description
[None entered]	

Products and Services

- *Description of the Agency’s Products and/or Services:*
APPRENTICESHIP PROGRAM

Offering Career Choice Options - Promotion of Registered Apprenticeship as an effective way to train a skilled workforce. Providing assistance to employers interested in training a skilled workforce through Registered Apprenticeship.

Registered Apprenticeship Agreements - Reviewing and approving apprenticeship agreements. Maintaining and documenting apprenticeship agreements. Terminating or canceling apprenticeship agreements when appropriate.

Certificates - Monitoring apprenticeship progress and issuing Certificates of Completion of Registered Apprenticeship.

Sponsor Evaluations - Conducting Sponsor Program Evaluations pursuant to procedures and criteria established by the Virginia Apprenticeship Council.

EEO Reviews - Conducting Equal Employment Compliance Reviews under the authority of the Commonwealth of Virginia Voluntary Apprenticeship Act.

LABOR LAW SERVICES

Inspection and Enforcement - Thorough and consistent inspection and enforcement of the laws and regulations governing child labor. Assessing corporate or individual responsibility as appropriate. Investigating complaints of violations of child labor or payment of wage laws.

Permitting - Training, assisting and providing oversight to officials of local schools who issue permits for 14 and 15 year olds who are to be employed. Providing supplies to issuing officers. Issuing theatrical and solicitation permits for minors.

Hearings and Conferences - Initiating informal conferences to settle disputes between employers and employees regarding wages. Planning, setting and providing notice of administrative hearings in payment of wage cases. Under authorization of Office of the Attorney General (OAG), lawsuits are filed in General District Court in payment of wage cases. As approved by the OAG, litigating child labor cases and criminal matters regarding payment of wages.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

Inspection and Enforcement - Consistent application of occupational safety and health laws and regulations through effective and efficient enforcement inspections of work-related accidents, fatalities, imminent danger situations, employee complaints, referrals from other government agencies and planned inspections in general industry, construction and agriculture in both the public and private sectors, with the exception of employers in federal enclaves or those covered by federal agencies under § 4(b)(1) of the OSH Act of 1970, and assuring compliance with the Virginia Overhead High Voltage Line Safety Act.

Consultation, outreach, and compliance assistance services - Safety and health consultation to private and public sector employers with priority given to high hazard companies with 250 or fewer employees. Certification of qualified high hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites. Operation of the Voluntary Protection Program (VPP) to recognize and promote effective occupational safety and health management. Certification of qualified companies as STAR and MERIT work-sites under the VPP program. Customer services, such as providing training/technical assistance to employers and employees, and coordinating the annual Virginia Occupational Safety and Health Conference regularly attended by 300-400 safety and health professionals, employers and employees.

Regulatory development - Regulatory development to establish minimum occupational safety and health requirements for employees and employers and providing staff support to the Virginia Safety and Health Codes Board.

Data collection - Conducting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics, and participating in the OSHA Data Initiative in high hazard industries.

Legal Support - Under the guidance and direction of the Office of the Attorney General, legal support is provided to the VOSH compliance divisions in the following areas: obtaining settlement of or litigating VOSH contested cases that cannot be settled at the Regional Office level; pre-citation review of significant cases (primarily fatality, willful and criminal cases); obtaining warrants when an employer denies a VOSH compliance officer access to work sites; handling subpoenas for Department personnel and records; and processing Freedom of Information Act (FOIA) requests.

ASBESTOS AND LEAD SAFETY SERVICES

Customer service by providing technical assistance.

Issuance of asbestos and lead project permits to abatement contractors.

Conducting an on-site unannounced inspection as funding permits of each asbestos and lead removal contractor at least once a year.

Assurance of contractor adherence to the National Emission Standard for Hazardous Air Pollutants (NESHAP) to protect the general public and the environment from asbestos emissions during renovation and demolition activities.

Assurance of safe work practices during installation, removal, and encapsulation of asbestos and lead.

Regulatory development to establish minimum requirements for worker and public safety during installation, removal, and encapsulation of asbestos and lead.

Economic development support through helping ensure older buildings can be safely rehabilitated by the removal of asbestos and lead.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

Customer assistance - State Boiler Inspectors obtain lists of companies and organizations in focused areas of apartment buildings and automobile related services and make compliance visits to initially educate the owners/users about Virginia laws regarding boilers and pressure vessels. Boiler staff assist customers in maintaining current Certificates, finding Inspectors, and otherwise maintaining safe boilers and pressure vessels in compliance with regulatory requirements.

Inspection and enforcement - Thorough and consistent inspection and enforcement of laws and regulations regarding the construction, installation, operation, and repair of boilers and pressure vessels. Assessing hazards and unsafe conditions and assuring timely corrective actions. Investigation of accidents and complaints. Civil penalty assessment. Inspection, enforcement and services staff assist customers in maintaining safe boilers and pressure vessels in compliance with regulatory requirements.

Certification - Certification of persons performing inspections of boilers and pressure vessels. Inspector certification services assure persons performing specialized tasks are qualified and maintain high standards of technical competency. Certification of boilers and pressure vessels at an established frequency assure that they are safe to operate and are in compliance with laws and regulations.

ADMINISTRATIVE AND SUPPORT SERVICES

Executive Management, Control, and Oversight.

Planning and Resource Allocation

Legislative Liaison

Internal Risk Management and Mitigation

Supply Chain Management

Information and Technology Management

Human Resource Management

Financial Management

Administrative Management

Regulatory Development

Public Affairs

Revenue Collections

- *Factors Impacting Agency Products and/or Services:*
APPRENTICESHIP PROGRAM

Demand for skilled workers is extremely high and will continue to grow as the economy expands. DOLI anticipates that the number of non-English speaking customers will increase and that the increasing globalization of the economy will affect the types and numbers of employees who need skills training.

LABOR LAW SERVICES

DOLI anticipates that the number of non-English speaking employees and employers will increase, necessitating the use of interpreters or the training of DOLI staff to speak other languages, particularly Spanish.

DOLI anticipates that increasing globalization and an improving economy will result in the creation of more small businesses, whose owners cannot afford to hire an attorney. At present, many small business owners contact DOLI's Labor and Employment Law Division with inquiries concerning labor and employment law issues. We anticipate that the numbers of these inquiries will increase.

DOLI anticipates that, as technology continues to advance, more inquiries will be received via the Internet.

DOLI anticipates a continuing need to provide high-quality training for the officials of local schools who issue permits for 14 and 15 year olds who are to be employed.

DOLI anticipates that the aging agency workforce and rising incomes in the private sector will make it more and more difficult to recruit and retain the highly skilled employees who are needed to staff the Labor and Employment Law Division.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

Full automation of the Virginia Courts Case Information System, which enables the Office of Legal Services (OLS) to check online the status of VOSH cases in litigation in the Circuit Courts of Virginia, will enhance OLS's ability to assure that litigation is initiated for VOSH contested cases within the Department's stated goal of one year from the opening date (several major local jurisdictions such as Fairfax County have not yet been added to the online system).

Changes in information technology systems at the federal level.

DOLI's funding for occupational safety and health is tied to the federal appropriations process.

Increasing globalization and evolving technologies, combined with a growing number of non-English speaking customers, will necessitate enhancements and modifications to products and services.

Judicial decisions impact VOSH program operations, as well as continued State Plan status.

Litigation of contested VOSH cases occurs at the local level in Virginia's court system.

ASBESTOS AND LEAD SAFETY SERVICES

The number of asbestos and lead abatement notifications received.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

The economy is expected to continue to grow.

The implementation of a recent change in the Code of Virginia that allows State Inspectors to perform limited inspections of boilers and pressure vessels that are 91 days past due.

Continued growth of inspection companies reporting inspections electronically.

More customers that are less fluent in English will impact the delivery of services.

ADMINISTRATIVE AND SUPPORT SERVICES

There has been a marked increase in the number of non-English speaking customers, both employers and employees. Additionally many employees and employers in Virginia may speak some English but are not proficient in reading English. DOLI has made an effort to hire staff who can speak other languages and has also printed many of the informational posters and brochures in Spanish. There is a need to expand this effort to other languages.

DOLI will experience a huge employee turnover of experienced staff as older employees retire. Noncompetitive salaries and inadequate resources for staff training/development programs contribute to low staff retention and decreased productivity.

State and Agency technology resources are aging, and, in many cases, obsolete. Current IT transformation initiatives include an IT infrastructure outsourcing contract and an enterprise application track for central state accounting, budgeting, human resources, procurement, and other enterprise programs such as permitting and licensing.

Maintenance and continued utilization of OSHA's Integrated Management Information Systems (IMIS) and Compliance Safety and Health Officer (CSHO) IT systems and technology are contingent upon federal funding and support at both state and federal levels.

Central Agency requirements will continue to impact Agency IT systems and agency processing procedures.

Additional state requirements are being implemented related to a more structured approach governing agency internal control responsibilities. This will involve new administrative policies and procedures, agency risk assessment tools, agency internal control checklists and questionnaires, and mandatory training programs. Also, central agency review process will be revised to review agency internal control performance measures.

- *Anticipated Changes in Products or Services:*

APPRENTICESHIP PROGRAM

Products and services will be adapted to meet the changing needs of the expanding economy, non-English speaking customers, the increasing globalization of the economy, and the types and numbers of employees needing skills training.

LABOR LAW SERVICES

DOLI anticipates that adaptations will be made to accommodate non-English speaking employees and employers. It is probable that interpreter services will be used and at least some DOLI staff will need to learn to speak other languages, particularly Spanish. It may be necessary for the Agency to search more aggressively for bilingual employees.

DOLI anticipates that increasing globalization and an improving economy will result in the creation of more small businesses, whose owners cannot afford to hire attorneys. At present, many small business owners contact DOLI's Labor and Employment Law Division with inquiries concerning labor and employment law issues. We anticipate that the numbers of these inquiries will increase.

DOLI anticipates that, as technology continues to advance, more inquiries will be received via the Internet.

DOLI anticipates a continuing need to provide high-quality training for the officials of local schools who issue permits for 14 and 15 year olds who are to be employed.

DOLI anticipates that an aging public workforce and rising incomes in the private sector will make it more and more difficult to recruit and retain the highly skilled employees who are needed to staff the Labor and Employment Law Division. It will probably be necessary for more funds to be allocated for salaries.

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH SERVICES

DOLI anticipates that strategies will be developed to provide services to a changing workforce. We anticipate using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). We expect to deliver services to a workforce that is more diverse in terms of age, gender, race, and nationality, and whose work products are increasingly services rather than goods. We anticipate providing services to a smaller percentage of workers who are employed in large fixed industries, and to a higher percentage of workers employed in small firms, temporary jobs, or at home. We further expect to adapt our services to assist employees whose work is contracted, outsourced, and part time. We anticipate that these trends will continue over the next several decades. We will need to develop different strategies to address these and other developing issues.

DOLI anticipates making adaptations to services based on changing workforce demographics, which will include a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will grow the fastest. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH's program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

DOLI anticipates the need to develop products and services for immigrant and "hard-to-reach" workers and employers, who are also becoming more prevalent. We anticipate a need to develop outreach services for the many immigrant

workers, who are often less English literate, unable to read English instructions, and who work in some of the most inherently dangerous jobs. In addition, we expect to provide services to other hard-to-reach workers and employers, including youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. We anticipate that demographic and workplace trends will further complicate the implementation of occupational safety and health programs and will necessitate enforcement, training, and delivery systems that are very different from those upon which we have relied to date.

ASBESTOS AND LEAD SERVICES

DOLI anticipates that strategies will be developed to provide services to a changing workforce. We anticipate using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). We also anticipate a need to develop outreach services for the many immigrant workers employed in the asbestos and lead abatement industry who are often less English literate and unable to read English instructions.

BOILER AND PRESSURE VESSEL SAFETY SERVICES

Customer assistance requests are expected to increase as the economy continues to grow, our educational efforts succeed, and partnerships expand.

State Inspectors performing inspections of boilers and pressure vessels 91 days past due will result in an increase of certificates issued and a reduction of overdue inspections.

The number of inspection companies reporting inspections electronically is 20%. Any further increase of inspection companies utilizing electronic reporting will improve both efficiency and response time.

The number of owners/users of boilers and pressure vessels speaking principally Korean or Spanish is increasing, especially in the area of small businesses. Response time will adversely increase as a result of communication challenges.

ADMINISTRATIVE AND SUPPORT SERVICES

Efforts and resources will be directed to addressing service issues to non-English speaking customers. Human Resource efforts will intensify to support recruitment, training/development and retention of professional program staff. Service area will continue to identify/research best practices and implement when feasible.

Finance

- *Financial Overview:*

The Department of Labor and Industry's funding comes from State General Fund Appropriation (58%), Federal Funds from the U.S. Department of Labor (34%), and Special Revenue Funds (8%) from various sources including Indirect Cost Recoveries, Asbestos Project Permit Fees, Consultation Grant Agreement Matching Funds, and Registration fees for the Annual Virginia Safety and Health Conference. DOLI's programs contribute significant revenues to the state that offset program costs. For fiscal year 2008, DOLI's revenues represented 62% of annual agency expenditures. (FY2008 Total Revenues \$8640688, Total Expenditures \$13944050 (62%)). These revenues, which are deposited to the state treasury, are a combination of fees collected in the Boiler and Asbestos programs, federal grants, and penalties collected by DOLI's VOSH and Labor and Employment Law Divisions.

- *Financial Breakdown:*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$8,057,135	\$5,962,262	\$8,057,135	\$5,962,262
Change To Base	\$441,935	\$49,420	\$441,880	\$49,420
Agency Total	\$8,499,070	\$6,011,682	\$8,499,015	\$6,011,682

This financial summary is computed from information entered in the service area plans.

Human Resources

- *Overview*

As of July 10, 2007, the Department of Labor and Industry (DOLI) had an authorized FTE level of 183 classified positions located state-wide in the four regional offices (Roanoke, Richmond, Norfolk and Manassas), four field offices (Lynchburg, Winchester, Verona and Abingdon) as well as Agency headquarters located in the Capitol-area of Richmond. The regional and field positions generally provide front-line service deliveries to Virginia's workers and industries within their respective geographic areas. Headquarters staff includes the logistical and program support areas such as Office of the Commissioner, Finance, Procurement, HR, General Services, Legal Services, etc. as well

as Division-level management for the major service areas: Labor and Employment Law; Registered Apprenticeship; Boiler and Pressure Vessel Safety; Asbestos and Lead Services; and Occupational Safety and Health. Due to the current state budget shortage (November 2007), recruitment of selected vacant positions is deferred.

● *Human Resource Levels*

Effective Date	9/10/2007	
Total Authorized Position level	183	
Vacant Positions	-12	
Current Employment Level	171.0	
Non-Classified (Filled)	1	<i>breakout of Current Employment Level</i>
Full-Time Classified (Filled)	171	
Part-Time Classified (Filled)	0	
Faculty (Filled)	0	
Wage	11	
Contract Employees	1	
Total Human Resource Level	183.0	= Current Employment Level + Wage and Contract Employees

● *Factors Impacting HR*

Budgetary issues will continue to impact FTE statistics.

Retention of Highly Skilled Employees Due to Non-Competitive Wages: Thirty-one percent (31%) of the Agency's workforce has less than five years of service. This figure jumps to 68% for the Agency's regional and field offices located in Northern Virginia where 15 out of 22 employees have less than five years of service and 10 of these employees have less than two years of state and agency service. Turnover is especially problematic for the Occupational Safety/Health positions. Over the past seven years, 41.6% of the separating Safety/Health professionals left for better paying positions. As a result, the Agency will experience increased spending for recruitment, training and retention of incumbents occupying positions identified as a high risk for turnover. In addition, DOLI is absorbing the high costs of training new-hires without recouping a sufficient return on this investment.

Increasing Challenges with Recruitment and Selection: Filling advertised vacancies in Northern Virginia is an arduous task often involving a high number of candidate withdrawals and/or declining offers of employment. An on-going recruitment for a Compliance Safety/Health Officer Apprentice resulted in 12 employment offers with 8 candidates withdrawing or declining the offer. The most frequent reasons cited by these candidates are the low salary and the costs of commuting in relation to the salary. Other recruitment challenges experienced by the Agency in FY 07 include Web/Media Specialist, Program Support Technician positions, and Apprenticeship Representatives. While we were ultimately successful in filling these roles, it took extended recruitment periods, re-advertising, and extending multiple employment offers. Given the limited number of positions and the increased turnover of employees with subject-matter expertise and institutional knowledge, the preferred candidates for entry-level positions in all program areas must present relevant work experience, education and training. Hiring managers are also focusing on candidates' proven abilities to work independently of direct and readily available supervision.

Aging Workforce: Thirty-seven (37) employees will be eligible for unreduced retirement benefits over the next five years, with the highest concentrations occurring in the Professional, Para-Professional and the Office/Clerical Occupational Categories. The Agency's Workforce Planning Reports reveal the Public Safety Compliance career group's retirement eligibility will be available to 19 of the Agency's 79 positions which include Occupational Safety/Health and Labor & Employment Law programs. In addition, 4 employees in the Registered Apprenticeship program are currently eligible for unreduced benefits. These numbers equate to 20% of the Agency's highly-qualified workforce which will result in a significant loss of subject-matter expertise and institutional history knowledge.

Training and Employee Development: Given the above-referenced challenges with employee retention and expected retirements, it is imperative for newly hired employees to receive adequate training on critical job skills. The VOSH Division currently utilizes a formal apprenticeship training program for Compliance Safety/Health Officers and Consultants. This three-year apprenticeship provides a combination of classroom training, self-paced learning, on-the-job experience and mentoring ultimately culminating in a Journey-Level certificate after the individual has demonstrated sufficient knowledge, skills and abilities. The training costs for these positions are substantial, and DOLI is continuously seeking lower-cost training options such as DHRM's training courses, which include the web-based programs offered through the Knowledge Center.

Bi-Lingual Skills: As noted in previous years, DOLI's client interactions often require fluent bi-lingual abilities. While this skill is readily identified as a preferred skill set for recruitment, our progress in this area is slow. Despite efforts to provide on-site translation services for the Hispanic population, this service is not available in every region or field

office.

- *Anticipated HR Changes*

Succession Planning: DOLI's loss of seasoned subject-matter experts through attrition and retirements requires greater foresight into the preparation of current staff for future leadership roles. As funds permit, DOLI will continue to provide leadership skills training and mentoring to high-performing staff. The availability of DHRM's MVP web-based training will also provide a broader-range of training options to more thoroughly prepare staff for future leadership positions.

Compensation and Rewards:

NOVA – The salary structure and retention incentives for positions assigned to the NOVA offices will require the use of additional resources. Depending upon funding options, this may involve increasing the number of vacancies and/or re-directing resources from other areas.

State-wide –It is impractical to assume the retention issues experienced by NOVA will not impact other geographical areas. The increase in retirements for the other regions will create similar concerns regarding the retention of new hires thus requiring more competitive salary offers and use of retention incentives.

Increased Recruitment Costs: As noted above, DOLI's retention concerns will result in increased costs for recruitment activities. DOLI's traditional recruitment strategies require additional creativity and a "marketing" approach to include the intrinsic satisfaction of meaningful work, family/life balance, and the value of total compensation.

Career Pathing: The VOSH Apprenticeships establish clear pathways for career progression and are viewed positively by potential candidates. DOLI's other major service areas will also require more defined career paths.

Employee Relations and Organizational Culture: The influx of new hires creates changing dynamics among work teams with the introduction of differing work habits, expertise and expectations. HR must anticipate an increase in employee relation activities to include mediations, performance counseling, teambuilding, etc.

Information Technology

- *Current Operational IT Investments:*

DOLI programs and administration are supported by customized business applications. Each application provides Agency programs business functionality to comply with statutory responsibilities and best management practices.

DOLI employs three Federal applications. Two of these are aging Federal OSHA systems to support our VOSH program. Both have hardware and software that are obsolete and the functionality of these applications do not conform to more recent best practices for efficiency. The third application is a PC based application that is currently being threatened by economic budgetary constraints.

Support of Federal applications continues to decline.

DOLI continues to struggle with affordable infrastructure issues.

DOLI state program applications are deployed in a client-server environment.

Each state program software application is deployed with the most current version of the vendor software for the client-server environment.

DOLI has one web-based application that is supported by a third party vendor.

- DOLI provides ready access to Agency programmatic information via the DOLI website.

- *Factors Impacting the Current IT:*

DOLI customers are expecting to transact more programmatic and financial business with DOLI across automated systems. This will require DOLI to expand electronic government services.

Increased IT security requirements, state technology mandates and restricted Federal support of VOSH systems continue to be a challenge for the Agency.

DOLI's customers are requesting ready-access to information.

DOLI will continue to meet the changing business and regulatory requirements of Agency programs by providing state of the art technology.

DOLI continues to struggle with implementation of best IT business practices in a timely manner.

- *Proposed IT Solutions:*

DOLI will develop long-term business solutions to enhance or replace existing IT systems.

DOLI anticipates overwhelming state and agency support requirements for VOSH applications. This is due to a reduction in staffing by Federal DOL.

DOLI will need to develop contingency applications in support of the Boiler/Pressure Vessel Division and VOSH.

Increased e-commerce requirements.

- *Current IT Services:*

Estimated Ongoing Operations and Maintenance Costs for Existing IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Projected Service Fees	\$386,080	\$128,876	\$391,871	\$130,809
Changes (+/-) to VITA Infrastructure	\$0	\$0	\$0	\$0
Estimated VITA Infrastructure	\$386,080	\$128,876	\$391,871	\$130,809
Specialized Infrastructure	\$0	\$0	\$0	\$0
Agency IT Staff	\$0	\$0	\$0	\$0
Non-agency IT Staff	\$0	\$0	\$0	\$0
Other Application Costs	\$0	\$0	\$0	\$0
Agency IT Current Services	\$386,080	\$128,876	\$391,871	\$130,809

Comments:

[Nothing entered]

- *Proposed IT Investments*

Estimated Costs for Projects and New IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Major IT Projects	\$0	\$0	\$0	\$0
Non-major IT Projects	\$0	\$0	\$0	\$0
Agency-level IT Projects	\$0	\$0	\$0	\$0
Major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Non-major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Total Proposed IT Investments	\$0	\$0	\$0	\$0

- *Projected Total IT Budget*

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Current IT Services	\$386,080	\$128,876	\$391,871	\$130,809
Proposed IT Investments	\$0	\$0	\$0	\$0
Total	\$386,080	\$128,876	\$391,871	\$130,809

[Appendix A](#) - Agency's information technology investment detail maintained in VITA's ProSight system.

Capital

- *Current State of Capital Investments:*

[Nothing entered]

- *Factors Impacting Capital Investments:*

[Nothing entered]

- *Capital Investments Alignment:*

[Nothing entered]

Agency Goals

Goal 0

Strengthen the culture of preparedness across state agencies, their employees and customers.

Goal Summary and Alignment

This goal ensures compliance with federal and state regulations, policies and procedures for Commonwealth preparedness, as well as guidelines promulgated by the Assistant to the Governor for Commonwealth Preparedness, in collaboration with the Governor's Cabinet, the Commonwealth Preparedness Working Group, the Department of Planning and Budget and the Council on Virginia's Future. The goal supports achievement of the Commonwealth's statewide goal of protecting the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal Objectives

- We will be prepared to act in the interest of the citizens of the Commonwealth and its infrastructure during emergency situations by actively planning and training both an an agency and as individuals.

Objective Strategies

- DOLI's Emergency Coordination Officer will stay in continuous communication with the Office of Commonwealth Preparedness and the Virginia Department of Emergency Management.

Link to State Strategy

- nothing linked

Objective Measures

- Agency Continuity of Operations Plan (COOP) Assessment Score

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 2007 COOP Assessment Results (83% out of 100%)

Measure Target Value: Date:

Measure Target Description: A 5% increase per State Fiscal Year to 96% out of 100% by the end of Fiscal Year 2010

Data Source and Calculation: The COOP Assessment Review is a 24 component assessment tool that helps measure the validity of a COOP plan.

Goal 1

Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general public.

Goal Summary and Alignment

DOLI's first goal, of providing safe, healthy, and productive workplaces for Virginia workers, businesses, and the general public, preserves and enhances the economy in a number of ways. First of all, this goal supports keeping workers and the general public safe and healthy. Obviously, healthy workers are able to continue working and earning an income, which is returned to the economy as these workers purchase goods and services, secure housing and other necessities, etc. Healthier workers who work in safe environments are more likely to be willing to work, a circumstance that maintains the ready and conscientious workforce which influences many employers to locate and remain in Virginia. In addition, safe and healthy workplaces are cost-efficient to the employer. When work-related injuries, illnesses and fatalities occur, there are associated expenses, such as worker's compensation for workers injured on-the-job. Those associated expenses can eat up business profits. This goal also supports Virginians in living healthy lives, which again protects business profits. Healthier workers are less likely to miss work. Employees absenteeism can cut into business profits. Finally, this goal protects the public's safety. The stated goal, of providing safe, healthy and productive workplaces for workers, businesses and the general public, describes DOLI's mandates to protect children who work, regulate boilers and pressure vessels, and protect employees in both high-hazard occupations and the asbestos removal/encapsulation industry to prevent fatalities, injuries, and illnesses.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.
- Engage and inform citizens to ensure we serve their interests.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal 2

Enhance the development of highly skilled workers for Virginia's economy.

Goal Summary and Alignment

Virginia's registered apprenticeships elevate levels of educational preparedness and the attainment of citizens. The goal of enhancing the development of highly skilled workers for Virginia's economy describes the purpose of registered apprenticeship programs, which serve to train skilled workers who will earn reasonable incomes and provide a skilled workforce for employers. The incomes earned by these skilled workers will reenter the economy as they purchase goods and services, secure housing, and pay taxes. The profits earned by employers will likewise benefit the economy as they are enabled to build their businesses and provide continued employment to workers.

Goal Alignment to Statewide Goals

- Elevate the levels of educational preparedness and attainment of our citizens.
- Be a national leader in the preservation and enhancement of our economy.

Goal 3

Protect children from serious injury or death while employed.

Goal Summary and Alignment

DOLI's goal of protecting children from serious injury or death while employed is vital to safeguarding the future of the Commonwealth because our children are our most precious natural resource. They are the future of our state and our nation. It is today's children who will be the leaders, the voters, the decision-makers, the employees and employers of tomorrow. Pursuing the goal of protecting children from serious injury or death while employed preserves and enhances our economy. Protecting children in this way makes possible their future participation in the economy as workers, employers, and consumers. If we carelessly discard the lives and health of our children by not protecting them, we will lose the potential achievements and contributions of these young people to our nation and state, our culture, and our economy.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.
- Inspire and support Virginians toward healthy lives and strong and resilient families.
- Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal 4

Provide efficient resolution of wage issues.

Goal Summary and Alignment

DOLI's goal of providing efficient resolution of wage issues preserves and enhances the economy. Workers should be paid for work they have done. When paid for their work, workers return money to the economy by purchasing goods and services, securing housing, and paying taxes. When Virginia's workers have a reasonable expectation of being paid for their work, they will be more willing to work, and they will be more productive. In addition, resolving payment of wage issues preserves and enhances the economy by benefiting honest employers and businesses. It makes sound economic sense to ensure that workers are paid for work that they have done and that honest employers are protected by eliminating an unfair competitive advantage.

Goal Alignment to Statewide Goals

- Be a national leader in the preservation and enhancement of our economy.

Goal 5

Provide excellent customer service through the effective performance of DOLI personnel.

Goal Summary and Alignment

The goal of providing excellent customer service through the effective performance of DOLI personnel supports Virginia's

long-term objective of being recognized as the best managed state in the nation. That is the goal of DOLI's staff, as well. The employees of the Virginia Department of Labor and Industry consistently seek to provide services in the most efficient and courteous way possible. They attempt to stay ahead of trends, while, at the same time, making use of creative and innovative approaches. In addition, as DOLI staff achieve the goal of providing excellent customer service, they will be furthering the following Long-Term State Objectives for Virginia: • Be a national leader in the preservation and enhancement of our economy. • Engage and inform citizens to ensure that we serve their interests. • Elevate the levels of educational preparedness and attainment of our citizens. • Inspire and support Virginians toward healthy lives. Finally, in achieving the goal of providing excellent customer service, DOLI staff will work toward protecting the public's safety and security in the workplace, in public places where asbestos removal/encapsulation occurs, and in places in which boilers/pressure vessels are located. DOLI's staff responds to reports of fatalities, injuries, and illnesses which occur in high-hazard industries, as well as investigating complaints of unsafe practices in these same industries. In cases which involve criminal actions, DOLI staff pursue a fair and just solution through the judicial system. Thus, although DOLI is not designated as a law-enforcement agency, we actually do enforce laws and regulations that keep people safe in Virginia.

Goal Alignment to Statewide Goals

- Elevate the levels of educational preparedness and attainment of our citizens.
 - Be a national leader in the preservation and enhancement of our economy.
 - Engage and inform citizens to ensure we serve their interests.
 - Be recognized as the best-managed state in the nation.
 - Inspire and support Virginians toward healthy lives and strong and resilient families.
 - Protect the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.
-

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10

Service Area 1 of 6

Apprenticeship Program (181 534 09)

Description

This service area oversees Virginia's Registered Apprenticeship Program, implements the Virginia Voluntary Apprenticeship laws, and provides staffing for the Virginia Apprenticeship Council. Products and services include:

- Register apprenticeship programs that meet standards.
- Assist private employers, state government, and local governments in establishing and maintaining apprenticeship programs.
- Provide educational programs and materials to promote apprenticeship as an effective workplace program.
- Issue Certificates of Completion to apprentices that successfully complete their apprenticeship.
- Implement program according to direction received from the Virginia Apprenticeship Council.
- Protect the safety and well-being of apprentices.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
This service area directly aligns with DOLI's mission of making Virginia a better place in which to work, live and conduct business through training skilled workers who will earn a reasonable income and provide a skilled workforce for employers.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 of the Virginia Code provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.
 - Chapter 6 of Title 40.1 of the Virginia Code, known as the Voluntary Apprenticeship Act, provides the minimum requirements for apprenticeship programs. Section 40.1-125 of the Code of Virginia requires the Commissioner of Labor and Industry, with the advice and guidance of the Apprenticeship Council, to administer the provisions of the Voluntary Apprenticeship Act. Responsibility for implementing and administering voluntary apprenticeship in Virginia has been delegated by the U.S. Department of Labor (USDOL) Bureau of Apprenticeship and Training (BAT) to the state. The USDOL regulation, 29 CFR Part 29, "Labor Standards for the Registration of Apprenticeship Programs," requires the state program to have a State Apprenticeship Council with an "acceptable composition;" the state program to be established in the State Department of Labor or in that agency of state government having jurisdiction of laws and regulations governing wages, hours and working conditions; and the state agency presently recognized by BAT to have a state official empowered to direct the apprenticeship operation.
 - The Virginia Apprenticeship Council is recognized as the regulatory and policy board for the program by the Code of Virginia, at §§ 40.1-117 to 40.1-118. The Council is authorized to promulgate regulations to govern apprenticeship agreements and deregistration procedures, and to establish standards.
 - Sections 40.1-119 through 40.1-126 provide the foundation for the development of apprenticeship programs and sponsors in the Commonwealth. The apprenticeship program within DOLI implements the regulations established by the Council.
 - 29 USC § 50, known as the Fitzgerald Act, is the federal statute which authorizes the U. S. Secretary of Labor to formulate and promote labor standards to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Apprentices	Apprentices	12,299	13,037
Employer Sponsors	Employer Sponsors	2,056	2,179
Labor Organizations	Labor Organizations	75	75

Total				
Base Budget	\$953,082	\$0	\$953,082	\$0
Change To Base	-\$33,105	\$0	-\$33,105	\$0

Service Area Total	\$919,977	\$0	\$919,977	\$0
Base Budget	\$953,082	\$0	\$953,082	\$0
Change To Base	-\$33,105	\$0	-\$33,105	\$0

Service Area Total	\$919,977	\$0	\$919,977	\$0
Base Budget	\$953,082	\$0	\$953,082	\$0
Change To Base	-\$33,105	\$0	-\$33,105	\$0

Service Area Total	\$919,977	\$0	\$919,977	\$0
Base Budget	\$953,082	\$0	\$953,082	\$0
Change To Base	-\$33,105	\$0	-\$33,105	\$0

Service Area Total	\$919,977	\$0	\$919,977	\$0
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Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	} breakout of Current Employment Level
Non-Classified (Filled)		
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*

[Nothing entered]

- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will increase the numbers of apprentices enrolled in Virginia's Registered Apprenticeship Programs.

Objective Description

One of the Agency's Goals is to enhance the development of highly skilled workers for Virginia's economy. The development of highly skilled workers through Registered Apprenticeship training provides career options for workers and an available pool of skilled workers for employers.

Alignment to Agency Goals

- Agency Goal: Enhance the development of highly skilled workers for Virginia's economy.

Objective Strategies

- Agency staff provide consultation services to Employer Sponsors to further assist them in meeting statutory requirements and improving their apprenticeship training programs.
- Agency staff conduct detailed evaluations of Registered Apprenticeship programs.

Link to State Strategy

- nothing linked

Objective Measures

- To increase the number of apprentices participating in the Registered Apprenticeship training programs.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: The Measure Baseline as of 6/30/2007 is 13859.

Measure Target Value: Date:

Measure Target Description: The Measure Target is to achieve an increase in the number of Registered Apprenticeship participants to 14691 by the end of Fiscal Year 2010 on 6/30/2010.

Data Source and Calculation: Participants in registered apprenticeship program are tracked and recorded in an Agency-based program database. Numbers are accumulated and reported at the end of each state fiscal year.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10 ▼

Service Area 2 of 6

Labor Law Services (181 552 06)

Description

This service area implements the laws of the Commonwealth governing payment of wages, minimum wage, garnishee rights, discharge for work-related injuries, other conditions of employment, and employment of children. Products and services include:

- Inspection and Enforcement:

Thorough and consistent enforcement of the laws and regulations governing child labor, payment of wage, minimum wage, and prevention of employment. Assessing corporate or individual responsibility as appropriate. Investigating complaints of violations of the laws and regulations governing child labor, payment of wage, minimum wage, and prevention of employment .

- Permitting:

Ensuring compliance with Virginia's child labor laws by training , assisting and providing oversight to officials of local schools who issue permits for 14 and 15 year olds who are to be employed. Providing supplies to issuing officers. Issuing theatrical and solicitation permits for minors.

- Hearings and Conferences:

Initiating informal conferences to settle disputes between employers and employees regarding wages. Planning, setting and providing notice of administrative hearings in payment of wage cases. Referring cases to the Office of the Attorney General (OAG) for litigation.

Background Information

Mission Alignment and Authority

- Describe how this service supports the agency mission

This service area directly aligns with DOLI's mission of making Virginia a better place in which to work, live and conduct business by resolving payment of wage disputes, protecting children from hazardous employment ensuring that Code of Virginia provisions regarding permissible hours of work for minors are not violated, and providing answers to inquiries concerning Virginia's labor laws. Conducting investigations into alleged violations of labor and employment laws.

- Describe the Statutory Authority of this Service

Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

- Chapter 3 of Title 40.1 provides for the protection of employees. This chapter includes the Virginia Minimum Wage Act (§§ 40.1-28.8 to 40.1-28.12); payment of wage (§§ 40.1-29); equal pay irrespective of sex (§ 40.1-28.6); preventing employment by others of former employees (§ 40.1-27); discharge of an employee for absence due to work-related injury prohibited (§ 40.1-27.1); unlawful to require payment for medical examination as a condition of employment (§ 40.1-28); prohibition of use of certain questions on polygraph tests for employment (§ 40.1-51.4:3); and, prohibition of use of polygraphs in certain employment situations (§ 40.1-51.4:4).

- Chapter 4 of Title 40.1 governs various aspects of employment, including certain actions of labor unions (§§ 40.1-52 to 40.1-54.2); denial or abridgement of right to work (§§ 40.1-58 to 40.1-69) ; and, mediation and conciliation of labor disputes (§§ 40.1-70 to 40.1-75).

- Chapter 5 of Title 40.1 governs all aspects of child labor. It establishes the minimum age for children to work in certain occupations; the hours of work for children; and conditions of employment of children on farms, in gardens and in orchards.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Attorneys	Attorneys	2,300	26,278
Employees	Employees	19,500	3,598,669
Employers	Employers	10,800	209,903
Issuing Officers	Issuing Officers	1,500	1,500

Minors working in Virginia	Minors working in Virginia	15,000	484,000
Parents	Parents	15,000	484,000

Anticipated Changes To Agency Customer Base

The Agency anticipates continuing to serve a large number of non English-speaking customers.

- The Agency anticipates that, as technology continues to advance and globalization increases, we will face ever increasingly complex definitions of what it means to “work in Virginia”.

Partners

Partner	Description
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[None entered]

Products and Services

- *Factors Impacting the Products and/or Services:*

The Agency anticipates continuing to serve a large number of non-English speaking employees and employers, necessitating the use of interpreters or the training of DOLI staff to speak other languages, particularly Spanish.

The Agency anticipates continuing to serve a large number of non English-speaking customers

The Agency anticipates increases in the number of small businesses whose owners cannot afford to hire attorneys. At present, many small business owners contact DOLI's Labor and Employment Law Division seeking guidance concerning labor and employment law issues. We anticipate that the numbers of these inquiries , which are often length and complex, will increase.

The Agency anticipates that, as technology continues to advance, more inquiries will be received via the Internet , and the demand for online access to Agency services and information will increase .

The Agency anticipates increases in the number of children working.

The Agency anticipates salary compression issues.

- *Anticipated Changes to the Products and/or Services*

The Agency anticipates that adaptations will be made to accommodate non-English speaking employees and employers. It is probable that interpreter services will be used and at least some DOLI staff may learn to speak other languages, particularly Spanish. It may be necessary for the Agency to search more aggressively for bilingual employees.

The Agency anticipates the creation of small businesses, whose owners cannot afford to hire an attorney. At present, many small business owners contact DOLI's Labor and Employment Law Division seeking guidance concerning labor and employment law issues. We anticipate that the numbers of these inquiries will increase.

The Agency anticipates that, as technology continues to advance, more inquiries will be received via the Internet , and the demand for online access to Agency services and information will increase .

The Agency anticipates a continuing need to provide high-quality training for the officials of local schools who issue employment certificates for 14 and 15 year olds who are to be employed.

The Agency anticipates that the aging Agency workforce and rising incomes in the private sector will make it more and more difficult to recruit and retain the highly skilled employees who are needed to staff the Labor and Employment Law Division. The state faces increasing challenges as it competes with private sector salary offers.

- *Listing of Products and/or Services*

- Inspection and Enforcement: Thorough, consistent enforcement of the laws and regulations governing child labor, payment of wage, and other provisions of §40.1 of the Code of Virginia . Assessing corporate or individual responsibility as appropriate. Investigating alleged violations of labor and employment laws.
- Permitting: Training, assisting and providing oversight to officials of local schools who issue permits for 14 and 15 year olds who are to be employed. Providing supplies to issuing officers. Issuing theatrical and solicitation permits for minors.
- Hearings and Conferences: Initiating informal conferences to settle disputes between employers and employees regarding wages. Planning, setting and providing notice of administrative hearings in payment of wage cases. Referring cases to the Office of the Attorney General (OAG) for litigation.

Finance

- *Financial Overview*

Labor Law Services is funded by State General Fund Appropriation.

• *Financial Breakdown*

	FY 2009		FY 2010		FY	FY	FY	FY	FY	FY	FY
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund	2009	2010	2009	2010	2009	2010	2010
Base Budget	\$818,039	\$0	\$818,039	\$0							
Change To Base	\$62,454	\$0	\$62,454	\$0							
Service Area Total	\$880,493	\$0	\$880,493	\$0							
Base Budget	\$818,039	\$0	\$818,039	\$0							
Change To Base	\$62,454	\$0	\$62,454	\$0							
Service Area Total	\$880,493	\$0	\$880,493	\$0							
Base Budget	\$818,039	\$0	\$818,039	\$0							
Change To Base	\$62,454	\$0	\$62,454	\$0							
Service Area Total	\$880,493	\$0	\$880,493	\$0							
Base Budget	\$818,039	\$0	\$818,039	\$0							
Change To Base	\$62,454	\$0	\$62,454	\$0							
Service Area Total	\$880,493	\$0	\$880,493	\$0							
Base Budget	\$818,039	\$0	\$818,039	\$0							
Change To Base	\$62,454	\$0	\$62,454	\$0							
Service Area Total	\$880,493	\$0	\$880,493	\$0							

Human Resources

• *Human Resources Overview*

[Nothing entered]

• *Human Resource Levels*

Effective Date	
Total Authorized Position level	0
Vacant Positions	0
Current Employment Level	0.0
Non-Classified (Filled)	
Full-Time Classified (Filled)	

breakout of Current Employment Level

Part-Time Classified (Filled)	
Faculty (Filled)	
Wage	
Contract Employees	
Total Human Resource Level	0.0 = Current Employment Level + Wage and Contract Employees

- **Factors Impacting HR**
[Nothing entered]
- **Anticipated HR Changes**
[Nothing entered]

Service Area Objectives

- We will advance the fair and efficient investigation of wage complaints.

Objective Description

Employment certificates are issued by issuing officers to minors ages 14 and 15. Virginia law prohibits the employment of minors under the age of 18 in hazardous or unhealthy occupations. An employment certificate will be revoked if the minor's employment is found to be hazardous or unhealthy. Chapter 5 of Title 40.1 of the Code of Virginia governs the employment of minors and issuance of employment certificates.

Alignment to Agency Goals

- Agency Goal: Protect children from serious injury or death while employed.
Comment: Chapter 5 of Title 40.1, which governs the employment of children in Virginia, mandates that children in Virginia, while working, must be in safe, healthful environments that do not endanger them or interfere with their education.

Link to State Strategy

- nothing linked

- We will reduce the number of children working in hazardous or unhealthy occupations in Virginia.

Objective Description

Employment certificates are issued by issuing officers to minors ages 14 and 15. Virginia law prohibits the employment of minors under the age of 18 in hazardous or unhealthy occupations. An employment certificate will be revoked if the minor's employment is found to be hazardous or unhealthy. Chapter 5 of Title 40.1 of the Code of Virginia governs the employment of minors and issuance of employment certificates.

Alignment to Agency Goals

- Agency Goal: Protect children from serious injury or death while employed.
Comment: Chapter 5 of Title 40.1, which governs the employment of children in Virginia, mandates that children in Virginia, while working, must be in safe, healthful environments that do not endanger them or interfere with their education.

Objective Strategies

- DOLI will increase the annual number of inspections at workplaces that may hire minors.

Link to State Strategy

- nothing linked

Objective Measures

- We will increase the number of inspections annually conducted by Labor Law representatives of workplaces that may hire minors.

Measure Class: Other Measure Type: Outcome Measure Frequency: Annual Preferred Trend: Up

Measure Baseline Value: 75 Date: 6/30/2009

Measure Baseline Description: The Measure Baseline for Fiscal Year 2009 was 75 inspections per Labor Law Representative at workplaces that may hire minors.

Measure Target Value: 79 Date: 6/30/2012

Measure Target Description: The Measure Target will be an increase of 5% in the number of inspections conducted per Labor Law Representatives at workplaces that may hire minors by the completion of Fiscal Year 2012 on 6/30/2012.

Data Source and Calculation: The Labor Law Representatives will conduct annual inspections at various businesses that may hire minors to ensure compliance with child labor laws. Data obtained as a result of these inspections is entered into the Labor and Employment Law Division's internal database. The entered data represents the total number of such inspections.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10 ▾

Service Area 3 of 6

Virginia Occupational Safety and Health Services (181 555 01)**Description**

This service area administers occupational safety and health activities in Virginia (the Virginia State Plan agreement with federal OSHA as required by § 40.1-1 of the Code of Virginia) for general industry, agriculture, construction and the public sector. The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply and receive approval for a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. Products and services include:

- Customer service, such as training and technical assistance;
- Investigation of worker occupational safety and health complaints in construction and general industry companies.
- Investigating workplace fatalities and catastrophes.
- Inspection and enforcement of the occupational safety and health laws and regulations in the construction industry and general industry in the public and private sectors, with the exception of employers covered by federal agencies and installations under § 4(b)(1) of the OSH Act of 1970.
- Regulatory development to establish minimum requirements for worker and public safety.
- Safety and health consultation to private and public sector employers with priority given to high-hazard companies with 250 or fewer employees.
- Certification of qualified high-hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites.
- Certifying companies with 250 or more employees with exemplary safety and health programs under the Voluntary Protection Program (VPP) using the STAR and MERIT designations.
- Annual Virginia Occupational Safety and Health (VOSH) Conference to provide training and information to Virginia employers, employees and safety and health professionals.
- Conducting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics.
- Assure compliance with the Virginia Overhead High Voltage Line Safety Act.
- Participation in the OSHA Data Initiative in high-hazard industries.
- Economic development support by ensuring safe and healthy workplaces in Virginia companies.
- Legal support from the Office of Legal Support (OLS) to VOSH compliance divisions under the guidance and direction of the Office of the Attorney General.
- The Office of Planning and Evaluation (OPE) provides support to the VOSH divisions in the areas of development, coordination, and issuance of plans, policies, procedures, program directives, operational manuals, regulations, and other related documents.

Background Information**Mission Alignment and Authority**

- *Describe how this service supports the agency mission*

This service area directly aligns with DOLI's mission of making Virginia a better place to work, live and conduct business by promoting safe, healthy workplaces, instituting safe work practices and providing training, information, and technical assistance to employers, employees, and safety/health professionals.
- *Describe the Statutory Authority of this Service*

Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

 - Section 40.1-1 authorizes the Virginia Occupational Safety and Health (VOSH) Program.

- The responsibilities of the program are provided in §§ 40.1-1, 40.1-2, 40.1-3, 40.1-6, and §§ 40.1-49.3 through 40.1-51.4:2. Although Virginia is not mandated by Federal law or regulation to have an occupational safety and health program, responsibility in Virginia has been delegated by the U.S. Department of Labor (USDOL) Occupational Safety and Health Administration (OSHA) to the state through the Virginia State Plan.
- The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing occupational safety and health .
- The Code of Virginia, §§ 59.1-406 thru 59.1-414, known as the Overhead High Voltage Line Safety Act, promotes the safety and protection of persons engaged in work or activity in the vicinity of overhead high voltage lines.
- The federal Occupational Safety and Health Act of 1970 requires federal OSHA to enforce its regulations throughout the country, except in states that apply and receive approval for a State Plan for occupational safety and health. Virginia received its approval as a State Plan state in 1988. Requirements for State Plans are found in section 18 of the federal Occupational Safety and Health Act of 1970 and in federal regulation 29 CFR 1902, entitled, "State Plans for the Development and Enforcement of State Standards".
- Section 18(c)(7) of the Occupational Safety and Health Act of 1970 and federal regulation 29 CFR 1902.3(k) requires states implementing their own occupational safety and health program to ensure that employers covered by the program will maintain records and make reports to the USDOL's Assistant Secretary for Occupational Safety and Health containing statistical information pertaining to work related deaths, injuries and illnesses. This law and regulation authorize Virginia to conduct the "Annual Survey of Occupational Injuries and Illnesses" and the "Census of Fatal Occupational Injuries".

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Employees	Employees	3,598,669	3,598,669
Employers	Employers	209,903	209,903

Anticipated Changes To Agency Customer Base

DOLI anticipates the number of non-English speaking customers to increase. The Commonwealth’s workforce has changed in significant ways over the past several decades. It is more diverse in terms of age, gender, race, and nationality, and the products of work are increasingly services rather than goods. A smaller percentage of workers are employed in large fixed industries, and higher proportions are employed in small firms, temporary jobs, or at home. More work is now contracted, outsourced, and part-time. These trends are expected to continue over the next several decades, and will require different strategies to address developing issues.

In terms of workforce demographics, we can expect to see a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will grow the fastest. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH’s program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

Immigrant and “hard-to-reach” workers and employers are also becoming more prevalent. Many immigrants are less literate, unable to read English instructions, and work in some of the most inherently dangerous jobs. Hard-to-reach workers and employers include youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. These demographic and workplace trends complicate the implementation of occupational safety and health programs and argue for enforcement, training, and delivery systems that are different from those that have been relied upon to date.

Partners

Partner	Description
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[None entered]

Products and Services

- *Factors Impacting the Products and/or Services:*
Full automation of the Virginia Courts Case Information System will enable program staff to check online the status of VOSH cases in litigation in the Circuit Courts of Virginia, will enhance the Agency’s ability to assure that litigation is initiated for VOSH contested cases within the Department’s stated goal of one year from the citation issuance date (several major local jurisdictions such as Fairfax County have not yet been added to the online system).
- Changes in information technology systems at the federal level.

- Agency funding for occupational safety and health is tied to the federal appropriations process.
- Increasing globalization and evolving technologies, combined with a growing number of non-English speaking customers will necessitate enhancements and modifications to our products and services.
- Judicial decisions impact VOSH program operations, as well as continued State Plan status.
- Litigation of VOSH contested cases occurs at the local level in Virginia's court system.
- Employee turnover and retention, especially in DOLI's Northern Virginia Regional Office, located in Manassas.

- *Anticipated Changes to the Products and/or Services*

The Agency anticipates that strategies will be developed to provide services to a changing workforce. The Agency anticipates using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). The Agency also anticipates delivering services to a workforce that is more diverse in terms of age, gender, race, and nationality, and whose work products are increasingly services rather than goods. The Agency anticipates providing services to a smaller percentage of workers who are employed in large fixed industries, and to a higher percentage of workers employed in small firms, temporary jobs, or at home. We further anticipate adapting our services to assist employees whose work is contracted, outsourced, and part time. We anticipate that these trends will continue over the next several decades and will develop different strategies to address these and other developing issues.

The Agency anticipates making adaptations to services based on changing workforce demographics, which will include a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will grow the fastest. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource. These demographic shifts influence occupational injury rates and, therefore, raise issues for VOSH's program strategies. For example, despite child labor laws that prohibit teens from engaging in the most dangerous occupations, they have a higher rate of injury per hour than adults. Older workers, on the other hand, have lower injury and illness rates than the labor force as a whole, although injured older workers generally take longer to return to work.

The Agency anticipates the need to develop products and services for immigrant and "hard-to-reach" workers and employers, who are also becoming more prevalent. We anticipate a need to develop outreach services for the many immigrant workers, who are often less English literate, unable to read English instructions, and who work in some of the most inherently dangerous jobs. In addition, we anticipate providing products to other hard-to-reach workers and employers, including youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. The Agency anticipates that demographic and workplace trends will further complicate the implementation of occupational safety and health programs and will necessitate enforcement, training, and delivery systems that are very different from those upon which we relied to date.

- *Listing of Products and/or Services*

- Inspection and Enforcement: Consistent application of occupational safety and health laws and regulations through effective and efficient enforcement inspections of work-related accidents, fatalities, imminent danger situations, employee complaints, referrals from other government agencies and planned inspections in general industry, construction and agriculture in both the public and private sectors, with the exception of employers in federal enclaves or those covered by federal agencies under § 4(b)(1) of the OSH Act of 1970, and assuring compliance with the Virginia Overhead High Voltage Line Safety Act.
- Consultation, Outreach, and Compliance : Safety and health consultation to private and public sector employers with priority given to high-hazard companies with 250 or fewer employees. Customer service, such as providing training and technical assistance to employers and employees, and coordinating the annual Virginia Occupational Safety and Health Conference regularly attended by 300-400 safety and health professionals, employers and employees.
- Regulatory Development: Regulatory development to establish minimum occupational safety and health requirements for employees and employers, and providing staff support to the Virginia Safety and Health Codes Board.
- Data Collection: Conducting the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries (CFOI) under cooperative agreements with the US Bureau of Labor Statistics. Participation in the OSHA Data Initiative in high-hazard industries.
- Legal Support: Under the guidance and direction of the Office of the Attorney General, legal support is provided to the VOSH compliance divisions in the following areas: obtaining settlement of or litigating VOSH contested cases that cannot be settled at the Regional Office level, pre-citation review of significant cases (primarily fatality, willful and criminal cases), obtaining warrants when an employer denies a VOSH compliance officer access to work sites, handling subpoenas for Department personnel and records, and processing Freedom of Information Act

(FOIA) requests.

- Voluntary Protection Program: Operation of the Voluntary Protection Program (VPP) to recognize and promote effective occupational safety and health management. Certification of qualified high hazard companies with 250 employees or less as SHARP (Safety and Health Achievement Recognition Program) sites. Certification of qualified companies with more than 250 employees as STAR and MERIT work-sites under the VPP program.
- Planning and Evaluation: The Office of Planning and Evaluation (OPE) provides support to the VOSH divisions in the areas of development, coordination, and issuance of plans, policies, procedures, program directives, operational manuals, regulations, and other related documents.

Finance

● *Financial Overview*

Virginia Occupational Safety and Health Services is funded by State General Fund Appropriation Match (42%), Federal Funds from the U.S. Department of Labor (56%), Special Revenue Funds for Consultation Grant Agreement Match (1%), and registration fees for Annual Safety and Health Conference (1%).

● *Financial Breakdown*

	FY 2009		FY 2010		FY 2009	FY 2010	FY 2009	FY 2010	FY 2009	FY 2010
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund						
Base Budget	\$3,582,265	\$5,015,825	\$3,582,265	\$5,015,825						
Change To Base	\$113,749	\$88,662	\$113,749	\$88,662						
Service Area Total	\$3,696,014	\$5,104,487	\$3,696,014	\$5,104,487						
Base Budget	\$3,582,265	\$5,015,825	\$3,582,265	\$5,015,825						
Change To Base	\$113,749	\$88,662	\$113,749	\$88,662						
Service Area Total	\$3,696,014	\$5,104,487	\$3,696,014	\$5,104,487						
Base Budget	\$3,582,265	\$5,015,825	\$3,582,265	\$5,015,825						
Change To Base	\$113,749	\$88,662	\$113,749	\$88,662						
Service Area Total	\$3,696,014	\$5,104,487	\$3,696,014	\$5,104,487						
Base Budget	\$3,582,265	\$5,015,825	\$3,582,265	\$5,015,825						
Change To Base	\$113,749	\$88,662	\$113,749	\$88,662						
Service Area Total	\$3,696,014	\$5,104,487	\$3,696,014	\$5,104,487						

Human Resources

● *Human Resources Overview*

[Nothing entered]

● *Human Resource Levels*

Effective Date	
Total Authorized Position level	0

Vacant Positions	0	
Current Employment Level	0.0	
Non-Classified (Filled)		breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- **Factors Impacting HR**
[Nothing entered]
- **Anticipated HR Changes**
[Nothing entered]

Service Area Objectives

- We will work toward reducing workplace fatalities in the high-hazard construction industry.

Objective Description

Each year, more workers die in the construction industry than in any other sector. The construction fatality rate is three times that of general industry and remained virtually unchanged from 1992-1999, before dropping in 2000. This situation is complicated by a hard-to-reach employer and employee population. Safety and Health Compliance staff conduct inspections of construction sites in accordance with federal, state, local, and special emphasis programs that are designed to prevent catastrophic accidents, as well as conducting thorough investigations of construction fatalities. The Agency does not have direct control of workplaces, but we track data on workplace fatalities. Program efforts do have a positive impact on ensuring safer workplaces in general.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general public.

Comment: Safety and Health Compliance support this Agency goal by conducting inspections of construction sites in accordance with federal, state, local, and special emphasis programs that are designed to prevent catastrophic accidents, as well as conducting thorough investigations of construction fatalities.

Objective Strategies

- Each year, more workers die in the construction industry than in any other sector. The construction fatality rate is three times that of general industry and remained virtually unchanged from 1992-1999, before dropping in 2000. This situation, complicated by a hard-to-reach employer and employee population, presents unique challenges for VOSH that call for new strategies. Therefore, VOSH will continue to conduct a strong, fair and effective enforcement program that includes inspecting worksites and issuing citations and penalties for violations of safety and health standards. Priorities for inspections include reports of imminent danger, fatalities and catastrophic accidents, employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.
- VOSH offers consultation services at no cost, targeted to small businesses in high-hazard industries, that assists employers in identifying and correcting workplace hazards and establishing safety and health management systems.
- VOSH offers the Annual Virginia Occupational Safety and Health Conference to a wide service area, providing training and information to Virginia employers, employees and safety and health professionals.
- Maintain or continue the reliability and response rate of the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries under cooperative agreements with the US Bureau of Labor Statistics (BLS) by releasing data in a more timely fashion (a BLS goal).
- VOSH enters into voluntary relationships (VPP and SHARP) with employers, employees, employee representatives and trade and professional organizations to encourage, assist and recognize their efforts to increase worker safety and health. These programs promote effective safety and health management and leverage the Agency's resources to share safe and healthy best practices.
- VOSH develops and disseminates a wide range of guidance and standards that contribute to the occupational

safety and health community, and the knowledge and awareness of employers and employees.

Link to State Strategy

- nothing linked

Objective Measures

- To reduce the rate of workplace fatalities in the high-hazard construction industry per 100,000 workers.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 14.41 fatalities (per 100,000 workers) for Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: 13.69 fatalities (Decrease by 5 percent the number of fatalities per 100,000 workers per year) by the end of Fiscal Year 2010 on 6/30/2010.

Data Source and Calculation: U. S. Department of Labor (USDOL) Bureau of Labor Statistics (BLS) tables that record yearly rates of fatality per 100,000 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track this measure.

- We will work toward reducing workplace injuries and illnesses in the high-hazard construction industry.

Objective Description

Safety and Health Compliance staff conduct inspections of work sites, identifying hazards and working with employers to correct those hazards. The Agency does not have direct control of workplaces, but we track data on workplace injuries/illnesses. The program efforts do have a positive impact on ensuring safer workplaces in general.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general public.

Comment: Safety and Health Compliance support this Agency goal by conducting inspections of work sites, identifying hazards and working with employers to correct those hazards.

Objective Strategies

- VOSH develops and disseminates a wide range of guidance and standards that contribute to the occupational safety and health community, and the knowledge and awareness of employers and employees.
- Offer the Annual Virginia Safety and Health Conference to a wide service area, providing training and information to Virginia employers, employees and safety and health professionals.
- Maintain and continue the reliability and response rate of the Annual Survey of Occupational Injuries and Illnesses and the Census of Fatal Occupational Injuries under cooperative agreements with the U.S. Department of Labor, Bureau of Labor Statistics (BLS).
- VOSH will continue to conduct a strong, fair, and effective enforcement program that includes inspecting worksites and issuing citations and penalties for violations of safety and health standards. Priorities for inspection include reports of imminent danger, fatalities and catastrophic accidents, employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.
- VOSH offers consultation services at no cost, targeted to small businesses in high-hazard industries, that assists employers in identifying and correcting workplace hazards and establishing safety and health management systems.
- VOSH enters into voluntary relationships (VPP, SHARP, and Alliances) with employers, employees, employee representatives and trade and professional organizations to encourage, assist and recognize their efforts to increase worker safety and health. These programs promote effective safety and health management and leverage the Agency's resources to share safe and healthy best practices.

Link to State Strategy

- nothing linked

Objective Measures

- Rate of workplace injuries in the high-hazard construction industry per 100 employees.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Description: 6.54 Injuries/illnesses per 100 workers for Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: 4.97 Injuries/illnesses per 100 workers per year by the end of Fiscal Year 2010 on 6/30/2010.

Data Source and Calculation: The U. S. Department of Labor (USDOL) Bureau of Labor Statistics (BLS) tables record rates of injury/illness per 100 workers in the high-hazard construction industry. The Agency does not have direct control of workplaces, but we track data on illnesses and injuries.

- We will respond quickly to all safety and health complaints.

Objective Description

Safety and Health Compliance staff promptly handle all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general public.

Comment: Safety and Health Compliance staff support this goal by promptly handling all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Comment: Safety and Health Compliance staff support this goal by promptly handling all safety and health complaints or referrals in accordance with OSHA standards and our Virginia Occupational Safety and Health (VOSH) Field Operations Manual (FOM).

Objective Strategies

- VOSH will continue to conduct a strong, fair and effective enforcement program that includes inspecting work sites and issuing citations and penalties for violations of safety and health standards. Priorities for inspections include reports of imminent danger, fatalities and catastrophic accidents employee complaints, investigation of whistleblower activities, referrals from other government agencies and targeted areas of concern. Areas of concern will be handled with priority by issuing special emphasis programs to target higher risk areas.

Link to State Strategy

- nothing linked

Objective Measures

- Percentage of health/safety complaints investigated within one business day.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 99 percent of health/safety complaints responded to within one business day in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: Maintain a rate of at least 95 percent of health/safety complaints responded to within one business day throughout Fiscal Years 2009 and 2010.

Data Source and Calculation: VOSH program data is tracked utilizing the Integrated Management Information System (IMIS) database. VOSH offers workers the choice between two approaches to handle their complaints: either VOSH will conduct an investigation by contacting the employer via phone/fax to inform them of the complaint, with a response required back from the employer within five work days; or, VOSH will conduct an on-site inspection.

- Number of occupational safety and health hazards identified.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 8613 safety and health hazards identified in Fiscal Year 2007.

Measure Target Value: 9495 Date: 6/30/2010

Measure Target Description: Steadily increase the number of safety and health hazards identified, so that at least 9495 safety and health hazards are identified in Fiscal Year 2010, which ends on 6/30/2010.

Data Source and Calculation: Safety and health inspections are conducted by compliance officers and consultants. Hazards identified are recorded and maintained in the VOSH IMIS Compliance data base, and the Voluntary Compliance data base.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10

Service Area 4 of 6

Asbestos and Lead Safety Services (181 555 02)

Description

This service area implements the laws and regulations regarding asbestos and lead removal projects and the Virginia Asbestos NESHAP Act. Regulation of asbestos and lead removal projects involves issues of occupational safety and health, as well as issues of public safety. Products and services include:

- Customer service by providing technical assistance;
- Issuance of asbestos and lead project permits to abatement contractors;
- Conducting an on-site unannounced inspection of asbestos and lead removal contractors as resources allow at least once a year;
- Assurance of contractor adherence to the National Emission Standard for Hazardous Air Pollutants (NESHAP) to protect the general public and the environment from asbestos emissions during renovation and demolition activities;
- Assurance of safe work practices during installation, removal, and encapsulation of asbestos and lead;
- Regulatory development to establish minimum requirements for worker and public safety during installation, removal, and encapsulation of asbestos and lead; and
- Economic development support through helping ensure older buildings can be safely rehabilitated by the removal of asbestos and lead.

Background Information

Mission Alignment and Authority

- Describe how this service supports the agency mission

This service area directly aligns with DOLI's mission of making Virginia a better place to work, live and conduct business by protecting workers, employers, and the public through assuring safe work practices during installation, removal, and encapsulation of asbestos and lead, by providing technical assistance, and through economic development support to ensure that older buildings can be safely rehabilitated by the removal of asbestos and lead.

- Describe the Statutory Authority of this Service

Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and industry and establishes the authority of the Commissioner.

- Chapter 3.2 of Title 40.1 (§§ 40.1-51.20 thru 40.1-51.22) establishes the Asbestos and Lead Notification Program as part of a larger program requiring licensing and certification of asbestos and lead contractors and workers by the Department of Professional and Occupational Regulation (DPOR) (§§ 54.1-500 thru 54.1-517). It requires issuance of permits for removal contractors and inspection of each removal, installation or encapsulation project.

- Chapter 3.3 of Title 40.1 (§§ 40.1-51.23 thru 40.1-51.41), known as the Virginia Asbestos NESHAP Act, establishes the requirements for asbestos contractors to protect the general public and the environment from asbestos emissions during renovation and demolition activities.

- The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing the asbestos and lead safety program.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Asbestos and Lead Abatement Contractors	Asbestos and Lead Abatement Contractors Asbestos and Lead Abatement Contractors	320	320
Asbestos and Lead Abatement Workers	Asbestos and Lead Abatement Workers	3,501	3,501
Employees	Employees	3,598,669	3,598,669
Employers	Employers	209,903	209,903

Anticipated Changes To Agency Customer Base

DOLI anticipates the number of non-English speaking customers to increase. The Commonwealth’s workforce has changed in significant ways over the past several decades. It is more diverse in terms of age, gender, race, and nationality, and the products of work are increasingly services rather than goods. A smaller percentage of workers are employed in large fixed industries, and higher proportions are employed in small firms, temporary jobs, or at home. More work is now contracted, outsourced, and part-time. These trends are expected to continue over the next several decades and will require different strategies to address developing issues.

In terms of workforce demographics, we can expect to see a greater percentage of youth and older workers in the workforce. According to several sources on labor force trends, in the next decade, the youth population, ages 16 to 24, is expected to increase as a share of the workforce, the 25 to 54 age group is expected to decline, and the 55 and over age group will grow the fastest. According to the National Institute on Occupational Safety and Health (NIOSH), 80% of young people are employed at some point before they leave school. In addition, as the demand for skilled, experienced workers grows in the next two decades, older workers will become an increasingly vital labor resource.

Immigrant and “hard-to-reach” workers and employers are also becoming more prevalent. Many immigrants are less English literate, unable to read English instructions, and work in some of the most inherently dangerous jobs. Hard-to-reach workers and employers include youth workers, employees who work at a single location for only a few days before moving to a new location, temporary workers, and small business owners. These demographic and workplace trends complicate the implementation of occupational safety and health programs and argue for enforcement, training, and delivery systems that are different from those that have been relied upon to date.

The number of lead abatement projects inspected is anticipated to decrease with the adoption by the Department of Professional and Occupational Regulation (DPOR) of the EPA’s definition of lead abatement. Activities such as renovation, remodeling, and landscaping that are not designed to permanently eliminate lead-based paint hazards are no longer considered abatement. Interim controls, operations and maintenance activities, or other measures and activities designed to temporarily, but not permanently, reduce lead-based paint hazards have also been excluded from the definition of abatement.

Partners

Partner	Description
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[None entered]

Products and Services

- *Factors Impacting the Products and/or Services:*
This Service Area is impacted by the number of asbestos and lead abatement notifications received, as well as the number of renovation and construction projects that involve the removal and disposal of asbestos and lead.
- *Anticipated Changes to the Products and/or Services*
The Agency anticipates that strategies will be developed to provide services to a changing workforce. The Agency anticipates using the services of foreign language interpreters and training some staff to speak non-English languages (especially Spanish). We also anticipate a need to develop outreach services for the many immigrant workers employed in the asbestos and lead abatement industry who are often less English literate and unable to read English instructions.
- *Listing of Products and/or Services*
 - Customer service by providing technical assistance.
 - Issuance of asbestos and lead project permits to abatement contractors.
 - Conducting an on-site unannounced inspection of each asbestos and lead removal contractor at least once a year.
 - Assurance of contractor adherence to the National Emission Standard for Hazardous Air Pollutants (NESHAP) to protect the general public and the environment from asbestos emissions during renovation and demolition activities.
 - Assurance of safe work practices during installation, removal, and encapsulation of asbestos and lead.
 - Regulatory development to establish minimum requirements for worker and public safety during installation, removal, and encapsulation of asbestos and lead.
 - Economic development support through helping ensure older buildings can be safely rehabilitated by the removal of asbestos and lead.

Finance

- *Financial Overview*
Asbestos and Lead Services is funded by Asbestos and Lead Project Permit Fees from removal contractors.
- *Financial Breakdown*

FY 2009	FY 2010	FY	FY	FY	FY
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					2009	2010	2009	2010
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund				
Base Budget	\$0	\$325,300	\$0	\$325,300				
Change To Base	\$0	-\$88,662	\$0	-\$88,662				
Service Area Total	\$0	\$236,638	\$0	\$236,638				
Base Budget	\$0	\$325,300	\$0	\$325,300				
Change To Base	\$0	-\$88,662	\$0	-\$88,662				
Service Area Total	\$0	\$236,638	\$0	\$236,638				
Base Budget	\$0	\$325,300	\$0	\$325,300				
Change To Base	\$0	-\$88,662	\$0	-\$88,662				
Service Area Total	\$0	\$236,638	\$0	\$236,638				

Human Resources

- *Human Resources Overview*
[Nothing entered]

- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	
Non-Classified (Filled)		} breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will work toward reducing workplace injuries and illness in the asbestos and lead abatement industry.

Objective Description

The Agency will reduce workplace injuries and illnesses in the asbestos and lead abatement industry by direct intervention using enforcement inspections, on-site consultation programs, cooperative programs, outreach, training and education, information services and standards and guidance. Each licensed asbestos and lead contractor will be inspected as resources allow at least once per year.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general

public.

Comment: This objective supports the Agency goal of providing for safe, healthy workplaces in Virginia businesses by protecting workers, employers and the general public from injury or illness as a result of exposure to asbestos.

Objective Strategies

- Review asbestos and lead permits on a weekly basis to track those contractors who have not been inspected that FY to ensure that proper procedures are followed for removal and encapsulation of asbestos and lead.
- Contractors who have not been inspected at least once in the FY will be given priority of assignment of compliance resources for inspection.

Link to State Strategy

- nothing linked

Objective Measures

- Percentage of contractors inspected each year.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 54 percent of contractors inspected in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: The Measure Target (if funding permits) is to steadily increase the numbers of inspections so that 82 percent of contractors are inspected in Fiscal Year 2010, which ends 6/30/2010.

Data Source and Calculation: Data is collected from the Lead Asbestos Removal System (LARS) and the VOSH Integrated Management Information System (IMIS).

- We will respond quickly to health and safety complaints involving asbestos and lead.

Objective Description

This objective serves the purpose of protecting public safety and the occupational health and safety of workers in the asbestos and lead abatement industry by preventing or causing the removal of health and safety hazards.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general public.

Comment: This objective supports the Agency goal of providing safe, healthy workplaces in Virginia.

Objective Strategies

- Monthly monitoring of all data entries, documentation of all complaints received and handled.

Link to State Strategy

- nothing linked

Objective Measures

- Percent of responses to health/safety complaints investigated within one business day.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 99 percent of health/safety complaints responded to within one business day in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: Maintain a rate of at least 95 percent of health/safety complaints responded to within one business day throughout Fiscal Years 2009 and 2010.

Data Source and Calculation: Program data is tracked utilizing the Integrated Management Information System (IMIS) database. Agency offers workers the choice between two approaches to handle their complaints: either DOLI will conduct an investigation by contacting the employer via phone/fax to inform them of the complaint, with a response required back from the employer within five work days; or, DOLI will conduct an on-site

inspection.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10

Service Area 5 of 6

Boiler and Pressure Vessel Safety Services (181 562 01)

Description

This service area implements the Boiler and Pressure Vessel Safety Act. Products and services include:

- Customer service, such as training and technical assistance.
- Issuance of certificates for properly inspected boiler and pressure vessels.
- Commission of owners/users inspection personnel to inspect their own boilers and pressure vessels.
- Identification of unregistered boilers and pressure vessels.
- Issuance of interpretations and technical letters on processes.
- Examination and issuance of inspector certificates to qualified boiler and pressure vessel inspector candidates.
- Regulatory development to establish requirements for the construction, installation, operation, maintenance, and registration of boiler and pressure vessels; and examination of private boiler and pressure vessel inspectors.
- Quality control review and surveys.
- Economic development support through the assurance that boilers and pressure vessels are constructed, inspected and maintained in a safe manner to protect life and property.

Boiler Safety has a unique public-private partnership with insurance companies that insure boiler and pressure vessels and contract fee inspection companies for uninsured companies. The previously described Boiler and Pressure Vessel Safety Act and the Safety and Health Codes Board’s Boiler and Pressure Vessel rules and regulations permit these DOLI certified inspectors, acting on behalf of the Commissioner of Labor and Industry to conduct inspections of these objects and for these inspections to serve as a basis for Boiler Safety’s issuance of a Certificate of Inspection.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
This service area directly aligns with DOLI's mission of making Virginia a better place to work, live, and conduct business through the objective of ensuring the safety of boilers and pressure vessels located in businesses, public buildings, such as schools, and other structures, such as apartment buildings.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.
 - Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act, establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors.
 - The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by § 40.1-22. The Board is authorized to establish regulations governing the construction, installation, operation, maintenance, and inspection of boiler and pressure vessels.
 - Section 15.2-910 permits local government to adopt an ordinance requiring boiler operators to obtain a certificate from the local governing body. This section directs the Safety and Health Codes Board to establish standards to be used in determining an applicant's ability, proficiency and qualifications.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Inspection Companies	Inspection Companies	23	27
Owners/Users of boilers and pressure vessels	Owners/Users of boilers and pressure vessels	25,000	40,000

Anticipated Changes To Agency Customer Base

Changes in the types of objects being inspected could result in the following changes to the customer base:

- Many heating boilers are being replaced with other types of heat exchangers that are exempt from the Virginia Code such as dual AC/heat pumps and water heaters.
- Increases in the numbers of Nuclear plants will result in more objects needing inspections in utilities.
- Over the road cargo tanks will be built to the ASME Code once DOT approves the federal rule changes in approximately 1-2 years. While enforcement of tanks carrying hazardous material has historically been under the State police, Boiler Safety has the expertise of all ASME Code issues affecting pressure vessels.
- Inspection companies - Boiler Safety has a unique public-private partnership with insurance companies that insure boiler and pressure vessels and contract fee inspection companies for uninsured companies. These partnerships are anticipated to increase.
- Local governmental agencies - Other significant partners are the county or city building officials that will not issue a Use and Occupancy Permit until they see a DOLI issued Certificate of Inspection for each boiler and pressure vessel, as appropriate. There are 15 counties or cities that routinely provide us information about unregistered boilers and pressure vessels being installed or replaced. It is expected that this number will grow as state boiler inspectors continue to meet and educate these officials.
- Officials from the Drinking Water Division of the Department of Health are significant partners and provide DOLI with referrals on all hydro-pneumatic tanks [pressure vessels], as applicable. Many unregistered hydro-pneumatic tanks are expected to be found and either replaced or registered utilizing a very useful partnership.

Partners

Partner	Description
[None entered]	

Products and Services

- *Factors Impacting the Products and/or Services:*
 - The economy is expected to continue to grow.
 - The implementation of a recent law change that allows State Inspectors to perform limited inspections of boilers and pressure vessels 91 days past due.
 - Continued growth of inspection companies reporting inspections electronically.
 - More customers that are less fluent in English will impact the delivery of services.
- *Anticipated Changes to the Products and/or Services*
 - Customer assistance requests are expected to increase as the economy continues to grow, our educational efforts succeed, and partnerships expand.
 - The number of inspection companies reporting inspections electronically is 20%. Any further increase of inspection companies utilizing electronic reporting will improve both efficiency and response time.
 - The number of owners/users of boilers and pressure vessels speaking principally Korean or Spanish is increasing, especially in the area of small businesses. Response time will adversely increase as a result of communication challenges.
- *Listing of Products and/or Services*
 - Customer assistance State Boiler Inspectors obtain lists from the Internet of companies and organizations of focused areas of apartment buildings and automobile related services and make compliance visits to initially educate the owners/users about Virginia laws regarding boilers and pressure vessels. Boiler program staff assist customers in maintaining current certificates, finding inspectors, and otherwise maintaining safe boilers and pressure vessels in compliance with regulatory requirements.
 - Inspection and enforcement Thorough and consistent inspection and enforcement of laws and regulations regarding the construction, installation, operation, and repair of boilers and pressure vessels. Assessing hazards and unsafe conditions and assuring timely corrective actions. Investigation of accidents and complaints. Civil penalty assessment. Inspection, enforcement and services staff assist customers in maintaining safe boilers and pressure vessels in compliance with regulatory requirements.
 - Certification Certification of persons performing inspections of boilers and pressure vessels. Inspector certification services assure persons performing specialized tasks are qualified and maintain high standards of technical competency. Certification of boilers and pressure vessels at an established frequency assure that they are safe to operate and in compliance with laws and regulations.

Finance

- *Financial Overview*
Boiler and Pressure Vessel Safety Services is currently funded by State General Fund Appropriation.
- *Financial Breakdown*

	FY 2009		FY 2010		FY 2009	FY 2010
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund		
Base Budget	\$539,234	\$0	\$539,234	\$0		
Change To Base	\$27,769	\$0	\$27,769	\$0		
Service Area Total	\$567,003	\$0	\$567,003	\$0		
Base Budget	\$539,234	\$0	\$539,234	\$0		
Change To Base	\$27,769	\$0	\$27,769	\$0		
Service Area Total	\$567,003	\$0	\$567,003	\$0		

Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	
Non-Classified (Filled)		breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will work to eliminate, or mitigate, injuries, fatalities, and property damage through increasing the numbers of operational certificates issued for pressurized, temperature controlled boilers and pressure vessels.

Objective Description

Protecting the public and workers in areas where boilers and pressure vessel equipment is operated is crucial to public safety. Improper operation and maintenance of boilers and pressure vessels has a high potential for injury, death, and property losses. Through inspections, investigations, and operational permits, DOLI seeks to ensure a workplace free of preventable boiler and pressure vessel hazards: prompt, accurate and thorough investigation of complaints of faulty, inoperative or dangerous boilers and pressure vessels.

Alignment to Agency Goals

- Agency Goal: Provide for safe, healthy, and productive workplaces for Virginia workers, businesses, and general

public.

Comment: Chapter 3.1 of Title 40.1, known as the Boiler and Pressure Vessel Safety Act establishes the minimum requirements for the construction, installation, maintenance and inspection of boiler and pressure vessels. It also provides for the certification of boiler inspectors, owner/user inspection agencies and private contract fee inspectors. The Virginia Safety and Health Codes Board is established as the regulatory and policy board for the program by §40.1-22. The Board is authorized to establish regulations governing the construction, installation, operation, maintenance, and inspection of boiler and pressure vessels.

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Comment: By assisting citizens to become more knowledgeable in the safe construction, installation, operation, and repair of boilers and pressure vessels, there will be fewer accidents. This will improve public safety and attract national and international businesses resulting in economic growth.

Objective Strategies

- State Boiler Inspectors make compliance visits in focused areas of apartment buildings and automobile related services to initially educate owners/users about Virginia's laws regarding boilers and pressure vessels.
- Emphasis on non-compliant equipment owners and operators through sharing of information with local building officials, partnerships with insurance companies, identification of overdue inspections.
- Increase public awareness and participation through public service announcements, safety brochures, and production of safety video.

Link to State Strategy

- nothing linked

Objective Measures

- Number of certificates issued for previously un-inspected boiler and pressure vessel objects.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: The Measure Baseline is the 880 warning certificates issued for previously unregistered boiler and pressure vessel objects in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: The Measure Target is to steadily increase the number of certificates issued for previously unregistered boiler and pressure vessel objects, with a goal of 924 such certificates to be issued in Fiscal Year 2010, which ends 6/30/2010.

Data Source and Calculation: Data will be based upon report information recorded by each Boiler and Pressure Vessel State Inspector. Emphasis will be directed toward compliance visits at apartment and automobile related facilities.

- Number of inspection certificates issued for boiler and pressure vessel objects.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 34,993 inspection certificates issued for boiler and pressure vessel objects in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: The Measure Target is a steady increase in inspection certificates issued for boiler and pressure vessel objects, with a goal of 36800 such certificates to be issued in Fiscal Year 2010, which ends 6/30/2010.

Data Source and Calculation: Number of acceptable inspection reports conducted resulting in a Certificate of Inspection being issued by Boiler and Pressure Vessel program.

Service Area Strategic Plan

Department of Labor & Industry (181)

3/13/2014 8:52 am

Biennium: 2008-10 ▼

Service Area 6 of 6

Administrative and Support Services (181 599 00)

Description

Administrative and Support Services for the Department of Labor and Industry include the Office of the Commissioner; Human Resources; and Administration and Finance. This service area is responsible for the following agency-wide functions: executive management and direction; agency human resource services which includes staff recruitment and retention, training, benefit administration, dispute resolution, implementation and evaluation of fair employment practices; and resource administration that includes accounting, budgeting, financial management and compliance (including grants), IT and management information services, records management, regulatory promulgation, legislative coordination, policy management, asset management, risk management, contract management, purchasing, facilities management, general service support, and telecommunications. Service partners include Virginia's central support agencies; federal grantor agencies; non-English language radio stations, newspapers, and chamber of commerce groups; media groups; senior citizen worker placement organizations; vendors; and minority and women owned businesses.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
Administration and Support Services supports the agency programs by ensuring the efficient utilization and management of resources in the performance of the agency mission. This is achieved by applying best practices in management of funds and human resources, strategic planning and change management; compliance and internal audit; and responsiveness to customer needs.
- *Describe the Statutory Authority of this Service*
Chapter 1 of Title 40.1 provides for the establishment of the Department of Labor and Industry and establishes the authority of the Commissioner.

Chapter 1 of Title 40.1 (§ 40.1-6 (5)) authorizes the Commissioner "to appoint such representatives as may be necessary to aid him in his work; their duties shall be prescribed by the Commissioner."

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
Employees	Agency Employees and Volunteers	184	184
Agency Vendors	Agency Vendors	144	160,000
Apprentices	Apprentices	12,299	13,037
Asbestos and Lead Abatement Contractors	Asbestos and Lead Abatement Contractors	320	320
Attorneys	Attorneys	2,300	26,123
Employer Sponsors	Employer Sponsors	2,056	2,179
Employers	Employers	209,903	209,903
Governmental Entities	Government Entities	465	465
Inspection Companies	Inspection Companies	23	27
Issuing Officers	Issuing Officers	1,500	1,500
Labor Organizations	Labor Organizations	75	75
News Organizations	News Organizations	2,600	2,600
Non-English Speaking Media Organizations	Non-English Speaking Media Organizations	1	10
Owners/Users of boilers and pressure vessels	Owners/Users of boilers and pressure vessels	25,000	40,000
Potential Vendors and SWAM Contacts	Potential Vendors and SWAM Contacts	38	38
Public	Public	0	0
Related Instruction Coordinators	Related Instruction Coordinators	16	16

Safety and Health Codes Board	Safety and Health Codes Board	1	1
Virginia Apprenticeship Council	Virginia Apprenticeship Council	1	1
Volunteer Organizations	Volunteer Organizations	1	1

Anticipated Changes To Agency Customer Base

The Agency anticipates that efforts and resources will increasingly be directed toward addressing service issues to non-English speaking customers. To supports those efforts, the Agency will be intensifying the recruitment of bilingual employees.

To maintain the present level of services and to respond to an ever-increasing need for the Agency's services, efforts will be made to support recruitment, training, and retention of professional program staff.

In addition, the Agency anticipates contacts with increasingly diverse vendors, especially businesses owned by minorities and women.

The Agency anticipates an ever-increasing demand for updated IT services. We expect the trend of rising numbers of Internet inquiries and requests for assistance will continue.

There will be increases in the numbers of vendors participating in state procurement transactions.

The State's Enterprise Architecture and Enterprise Application initiatives will increase contact with eventual contract staff.

Partners

Partner	Description
[None entered]	

Products and Services

- *Factors Impacting the Products and/or Services:*

There has been a significant increase in the number of non-English speaking customers, both employers and employees. Moreover, many employees and employers in Virginia who speak some English may not be proficient in reading English. DOLI has made an effort to hire staff who speak languages other than English. We have printed many of the Agency's informational posters and brochures in Spanish. There is a further need for DOLI's posters and brochures to be translated into other languages.

DOLI will probably experience a huge staff turnover as experienced older employees retire. In addition, extremely inadequate salaries, salary compression, and a lack of funds for staff training all contribute to low staff retention, which decreases productivity.

DOLI's technology resources are aging and, in many cases, obsolete. Current IT transformation initiatives include an IT infrastructure outsourcing contract and an enterprise application track which covers state accounting, budgeting, human resources, procurement, and other enterprise programs, such as permitting and licensing.

DOLI is required to use and maintain OSHA's Integrated Management Information Systems (IMIS) and Compliance Safety and Health Officer (CSHO) IT systems and technology which are contingent upon federal funding and support at both state and federal levels.

Central Agency requirements will continue to impact DOLI's IT systems and processing procedures.

DOLI is implementing additional state-level requirements for a more structured approach to internal controls. These new requirements will necessitate new administrative policies and procedures, mandatory training, and risk assessment tools, as well as internal control checklists and questionnaires. It will also be necessary to devise a new process for reviewing the Agency's internal control performance measures.

- *Anticipated Changes to the Products and/or Services*

We anticipate that it will be increasingly necessary to direct DOLI's efforts and resources toward serving non-English speaking customers. We expect that DOLI will need to intensify efforts to recruit, train, and retain professional program staff. We also anticipate that it will be necessary to continue to research, identify, and implement best practices.

- *Listing of Products and/or Services*

- Executive Management, Control, and Oversight
- Planning and Resource Allocation
- Legislative Liaison
- Internal Risk Management and Mitigation
- Supply Chain Management
- Information and Technology Management

- Human Resource Management
- Financial Management
- Administrative Management
- Regulatory Development
- Public Affairs
- Revenue Collections

Finance

- *Financial Overview*
Agency administrative and support services are funded with state general funds and non-general indirect costs recovery funds.
- *Financial Breakdown*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$2,164,515	\$621,137	\$2,164,515	\$621,137
Change To Base	\$271,068	\$49,420	\$271,013	\$49,420
Service Area Total	\$2,435,583	\$670,557	\$2,435,528	\$670,557

Human Resources

- *Human Resources Overview*
[Nothing entered]
- *Human Resource Levels*

Effective Date		
Total Authorized Position level	0	
Vacant Positions	0	
Current Employment Level	0.0	
Non-Classified (Filled)		} breakout of Current Employment Level
Full-Time Classified (Filled)		
Part-Time Classified (Filled)		
Faculty (Filled)		
Wage		
Contract Employees		
Total Human Resource Level	0.0	= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
[Nothing entered]
- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- We will ensure the efficient utilization and management of resources in the performance of the agency mission and in a manner consistent with applicable state and federal requirements

Objective Description

Effective management of resources is vital to ensure that DOLI's programs and customers receive accurate, timely, reliable information; vendors are promptly paid; employee human resource needs are addressed; effective controls are in place to safeguard the Agency's resources; and administration of the Agency's resources, including grants, is in compliance with all state and federal statutes and procedures. DOLI provides the data required by the Virginia Performs Management Scorecard, which serves as a measure of state agency operations to ensure that resources are used efficiently and that programs are managed effectively in a manner consistent with applicable state and federal requirements.

Alignment to Agency Goals

- Agency Goal: Provide excellent customer service through the effective performance of DOLI personnel.

Objective Strategies

- The Department of Labor and Industry will manage administrative and customer service functions to ensure compliance with state and federal regulations, and with the Agency's policies, procedures, and philosophy. DOLI will attempt to retain a qualified, trained staff and maintain adequate staffing levels to ensure that resources are used effectively.

Link to State Strategy

- nothing linked

Objective Measures

- External Audit/Evaluation Reports and Management Scorecard

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: Achieved a 100 percent rating on External Audit/Evaluation Reports and Management Scorecard in Fiscal Year 2007.

Measure Target Value: Date:

Measure Target Description: To maintain a 100 percent rating on External Audit/Evaluation Reports and Management Scorecard for Fiscal Years 2009 and 2010.

Data Source and Calculation: External Audit Reports documenting any written findings, management letter comments or material internal control weaknesses, and Virginia Excels management scorecard with data supplied by agency.