

# Department of Employment

## Mission and philosophy

The mission of the Department of Employment is to provide information and quality services that promote economic security, fair employment and a safe work environment for our customers.

## Results of outcomes

See specific division reports for outcomes.

## Strategic plan changes

Maintain solvent unemployment insurance (UI) and workers' compensation (WC) trust funds at the same time ensuring the prompt and accurate payment of UI and WC benefits. Promote safety, health and fair employment practices in the workplace. Provide quality services to customers.

### General information

Cynthia Pomeroy, director

### Agency contact

Patti Merchant  
Cheyenne Business Center  
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Cheyenne, WY 82002  
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307/777-7672

### Other locations

Statewide - see division reports

### Year established

1990

### Statutory references

W.S. 9-2-2002, and 27-2-104 through W.S. 27-2-113

### Number of authorized personnel

Executive staff - three full-time

### Clients served

Wyoming employers, labor force

### Budget information

General fund	\$229,798
<b>Total</b>	<b>\$229,798</b>

## **Economics and Administrative Services Division**

### **General information**

Dissolved as of July 1, 2003

### **Agency contact**

Ellen Schreiner, acting administrator  
as of 6/30/2003

PO Box 2760  
Casper, WY 82602  
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307/235-3253

### **Year established and reorganized**

Established July 1, 2002. Dissolved July 1, 2003

### **Statutory references**

Wagner Peyser Act of 1933, as amended (29,U.S.C.49); Internal Revenue Code Provisions – Chapter 23, Federal Unemployment Tax Act; The Workforce Investment Act of 1998 (P.L. 105-220); Social Security Act as amended, 42 U.S.C.

### **Number of authorized personnel**

52 full-time  
One part-time

### **Organizational structure**

Fiscal and Administrative Services, Information Technology, and Research and Planning Sections.

### **Budget information**

Federal Funds	\$3,563,156
Other Funds	1,183,288
<b>Total</b>	<b>\$4,746,444</b>

## **Results of Outcomes**

During FY03, the Economics and Administrative Services Division (EAS) furnished support for other divisions within the Department of Employment (DOE) and the Department of Workforce Services (DWS). Effective July 1, 2003, the division was dissolved. The Unemployment Insurance (UI) Division absorbed the Fiscal and Administrative Services and Information Technology sections. The Employment and Tax Division now contains the Research and Planning section.

During the fiscal year, the Information Technology Section completed 75 enhancement requests to the benefits mainframe operating system. This included ones to add on and enhance new federal programs such as Temporary Extended Unemployment Compensation (TEUC) and the TEUC-A program (for

airlines). A major project to enhance the UI Call Center software was continued throughout the year, as was a project to allow employers to file their reports and wage records over the Internet (W.I.R.E.). Information Technology also put a new firewall into production during the year, reorganized the servers and deployed new leased PC's to most of the DWS staff in both Casper and the field offices and to EAS Division staff in Casper DOE.

The Research and Planning Section reported and analyzed statistics for the Bureau of Labor Statistics as well as for DOE and DWS. The section also completed several publications, including "Employment Outlook 2010." Studies were also published for the seven - state administrative records consortium, the Health Department and the Wyoming Community Colleges.

The Fiscal and Administrative Section worked closely with DWS staff to further identify and allocate costs between the two departments, besides maintaining both the federal and state accounting systems. Staff also monitored the contract for remodeling the new Claims Center Building and improvements to the other two buildings in Casper.

## **Employment Tax Division**

### **General information**

Wendy Tyson, administrator

### **Agency contact**

Wendy Tyson  
Cheyenne Business Center  
1510 E. Pershing, 2<sup>nd</sup> Floor  
Cheyenne, WY 82002  
or  
P. O. Box 2760  
Casper, WY 82602-2760  
307/ 235-3201

307/ 777-7471

### **Other locations**

Cody, Evanston, Gillette, Jackson, Lander, Riverton, and Rock Springs

### **Year established and reorganized**

Workers' Compensation established 1913;  
Unemployment Insurance established 1937;  
reorganized 2000.

### **Statutory references**

Wyoming Constitution, Article 10, Section 4 Workers' Compensation, W.S. 27-14-101 through 27-14-805; Unemployment Insurance W.S. 27-3-101 through W. S. 27-3-705; Internal Revenue Code Provisions, Ch. 23 Federal Unemployment Tax Act; Social Security Act, as amended, 42 U.S.C. §301 et seq.

**Number of authorized personnel**

42 full-time  
Two part-time

**Organizational structure**

Unemployment Insurance Employer Services,  
Workers' Compensation Employer Services, Field  
Compliance and Auditing, Research and  
Planning.

**Clients served**

Employers, general public, state agencies, counties,  
towns, economic development organizations, federal  
reserve, congress, federal executive branch agencies.

**Budget information**

Expenditures:	
Fund 001 Federal Funds	\$2,026,886
Other Funds	\$2,892,740
<b>Total</b>	<b>\$4,919,626</b>

**Results of outcomes**

Workers' compensation premium rates are established based on actuarial analysis. The annual workers' compensation premium collected is predicted to result in the division meeting the statutory requirement of solvency for the Workers' Compensation (WC) program by 2008. The Industrial Accident Fund balance as of June 30, 2003, was \$432.2 million.

During FY03, the division was able to increase active collections on employers with workers' compensation delinquencies, following the resolution of computer problems resulting from a conversion in 1999. At the end of FY03, the amount of delinquent workers' compensation employer premiums was \$1.3 million.

To foster the solvency of the unemployment insurance fund, the Employment Tax Division (ETD) maintained an actuarially based employer rate system. The Unemployment Insurance (UI) Trust Fund balance as of June 30, 2003, was \$178.3 million, and the state UI Trust Fund balance was \$30.5 million, for a total of \$208.8 million. During FY03, the legislature reduced the minimum trust fund balance from four percent of total covered wages to 3.5 percent of total covered wages. This reduction will reduce the risk that a trust fund factor would be added to employer taxes for calendar year 2004, reducing the burden on employers.

To maintain the solvency of the UI Trust Fund, the ETD actively pursued collection activities on delinquent accounts. Collection activities included the filing of 507 liens and the approval of 37 unemployment insurance installment payment agreements. Workers' Compensation Statutes do not allow for payment options on delinquent employers.

Through the joint unemployment insurance/workers' compensation audit program, five

auditors performed 481 audits and collected \$7,683 for UI. A referred audit program implemented in January 2000 continues to address problem areas and provides a means to respond to anonymous tips.

To aid in maintaining the solvency of the UI Trust Fund, telephone access to tax information was provided to employers. During FY03, employers requested nine letters of good standing and requested three registration forms. Over time, fewer employers used telephone access as a means of obtaining or filing information than previous years.

To offset this reduction in the use of telephone access for employer services, the division provided Internet access and filing options. During FY03, employers requested 4,605 joint letters of good standing, 19 workers' compensation extraterritorial coverage notices, and 71 extra employee wage listing forms. The division gave employers the ability to request employment posters via the Internet in February 2003. There were 123 requests for employment posters received over the Internet between February 2003 and June 30, 2003. In addition, the division implemented Wyoming Internet Reporting for Employers (WIRE) on April 15, 2003. During FY03, employers filed 871 summary reports and 16,856 employee wage records using WIRE.

At June 30, 2003, the amount of delinquent unemployment insurance employer taxes due was \$3.2 million, which included computer-generated jeopardy assessments of \$1.9 million on employers who had not provided wage information. As of June 30, 2002, the amount of unemployment insurance employer taxes due was \$2.3 million, which included computer-generated jeopardy assessments of \$1.4 million. Removing jeopardy assessments from the formula, the actual unemployment insurance accounts receivable increased by 44 percent during FY03. The division's field staff is responsible for the collection of both unemployment insurance and workers' compensation delinquencies.

For most of FY03 an emphasis was placed on cleaning up workers' compensation delinquency data following a long computer conversion process.

## Fiscal /Human Resources

### Unit

#### **General information**

Charles Rando, administrator

#### **Agency contacts**

Robert B. Curtis, supervisor/manager 2  
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#### **Human resources**

Linda McAfee, human resources manager  
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307/777-5488

#### **Year established**

1990

#### **Statutory reference**

W.S. 9-2-2002 and 27-2-104 through 27-2-113

#### **Number of authorized personnel**

Six full-time

#### **Organizational structure**

Fiscal/human resources

#### **Clients served**

Department employees, vendors, claimants

#### **Budget information**

General fund	\$361,246
<b>Total</b>	<b>\$361,246</b>

## Results of outcomes

The fiscal/personnel unit, through its activities, supports all the department's goals and objectives along with coordinating the measurements of the agency's strategic plan.

## Labor Standards

#### **General information**

Charles Rando, administrator

#### **Agency contact**

Cherie Doak

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307/777-7261

#### **Other locations**

Casper

#### **Year established and reorganized**

Established 1917; reorganized 1990

#### **Statutory references**

W.S. 27-4-101 through 27-4-508, 27-5-101 through 27-5-110, 27-6-101 through 27-6-116, 27-7-101 through 27-7-115, 27-8-101 through 27-8-111, 27-9-101 through 27-9-108, and 16-6-101 through 16-6-206

#### **Number of authorized personnel**

12 full-time

#### **Organizational structure**

Wage and Hour, Fair Employment

#### **Clients served**

Employees and employers

#### **Budget information**

General fund	\$645,329
Federal funds	\$68,960
<b>Total</b>	<b>\$714,290</b>

## Results of outcomes

The objective of Labor Standards is to provide efficient and fair enforcement of state labor laws. In meeting its objective, Labor Standards has established criteria in which to complete investigations and close cases involving fair employment complaints and wage and hour claims. For the reporting period of July 1, 2002 through June 30, 2003, 74 fair employment cases were closed, 56 of which or 75.6 percent were closed within 200 days or less from the date the complaint was initially filed. For the same time period, there were 954 wage claims closed. Of the 954 claims closed, 748 or 78.4 percent were closed within 60 days or less from the date they were opened.

## Mine Inspector

### General information

Donald G. Stauffenberg, state mine inspector

### Agency contact

Donald G. Stauffenberg

P.O. Box 1094

Rock Springs, WY 82902

[dstauf@state.w.us](mailto:dstauf@state.w.us)

307/362-5222

### Other locations

Gillette and Worland

### Year established and reorganized

Established 1891; reorganized 1990

### Statutory references

Wyoming Constitution, Article 9, Section 1, W.S. § 30-2-101 through 30-2-607, and W.S. § 30-3-101 through 30-3-509.

### Number of authorized personnel

Six full-time

### Clients served

All mining operations and mine site contractors in Wyoming.

### Budget information

Enterprise Fund	\$422,383
<b>Total</b>	<b>\$422,383</b>

## Results of outcomes

The division inspected 100 percent of the mines and mine reclamation sites that it knew to be active during FY03. The division inspected 307 mines and mine site contractors during the year and performed 651 unannounced inspections during the year.

The division administrator held two training sessions during the year. The deputy inspectors attended five other training classes, at different times, throughout the year. All requests for compliance assistance were addressed.

The division sent out 286 surveys of which 105 were returned. The division administrator reviews each survey that is returned and makes follow-up phone calls to the companies that have complaints. The inspector who performed the inspection reviews the survey. The administrator promptly discusses, with the inspector who performed the inspection, any survey that contains complaints.

None of the people who returned the sur-

veys expressed dissatisfaction with the agency's services.

The number of injuries was not reduced during the year. The severity of injuries was not reduced during the year.

## Wyoming Mining Council

### General information

Donald G. Stauffenberg, state mine inspector

### Agency contact

Donald G. Stauffenberg

P.O. Box 1094

Rock Springs, WY 82902

[dstauf@state.wy.us](mailto:dstauf@state.wy.us)

307/362-5222

### Year established and reorganized

Established 1925; reorganized 1990

### Statutory references

W.S. § 30-2-301 through 30-2-312

### Number of authorized personnel

None

### Clients served

All mining operations and mine site contractors in Wyoming.

### Budget information

Enterprise Fund	\$21,485
Special Revenue	5,000
<b>Total</b>	<b>\$26,485</b>

### Agency to which group reports

Department of Employment

### Number of members

10

### Meeting frequency

Quarterly

## Mission and philosophy

To test all the applicants that meet the qualifications set forth in W.S. § 30-2-301 through 30-2-309(e). The mining council tested 122 successful applicants during the year.

## Results of outcomes

The Wyoming Mining Council will annually

update all examinations as required by W.S. § 30-2-309(e). The mining council updated three examinations during the year.

The Wyoming Mining Council will update at least 20 percent of its existing study guides annually as mandated by W.S. § 30-2-309(e). The mining council updated three of five study guides during the year.

## **Unemployment Insurance Division**

### **General information**

Ellen Schreiner, administrator

### **Agency contact**

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 Casper, WY 82602-2760  
[eschre@state.wy.us](mailto:eschre@state.wy.us)

307/235-3253

### **Other locations**

Adjudicators and investigative staff are in Cheyenne, Cody, Gillette, Riverton, Rock Springs and Torrington

### **Year established and reorganized**

Established 1937; reorganized in 1990, 1993 and 2000

### **Statutory references**

W.S. 27-3-101 through 27-3-705; Social Security Act, as amended, 42 U.S.C. §§ 301 et seq.; Internal Revenue Code Provisions – Chapter 23, Federal Unemployment Tax Act; Trade Act of 1974 Enacted by the Trade Act of 2002 (TRA); and Robert T. Stafford Disaster Relief & Emergency Assistance Act (DUA); TEUC Act of 2002 (P.L. 108-11).

### **Number of authorized personnel**

52 Full-time, eight part-time

### **Organizational structure**

Unemployment Insurance Claims Center, Special Programs, Overpayments & Fraud, Benefit Accuracy Measurement, Appeals and Legal

### **Clients served**

Public, employers, unemployed workers, state agencies and federal executive branch agencies

### **Budget Information**

Federal Fund	\$4,245,413
Other Funds	\$587,075
<b>Total</b>	<b>\$4,832,488</b>

## **Results of outcomes**

Wyoming Unemployment Insurance (UI) claimants can file for initial unemployment benefits by telephone, in person, or by the Internet. Interstate claimants can file by telephone or by the Internet. The Remote Claims Center was opened to all claimants in May 2002, and the number of telephone and Internet claims continued to grow throughout the year. During the year, 80 percent of Wyoming initial claims were filed by telephone, 17 percent by Internet, and three percent other types of filing.

Weekly claims can be filed by telephone or by mail, approximately 66 percent of which were filed by telephone.

The division made 92.3 percent of combined intra and interstate payments within 14 days of the first compensable week. This outcome met the 90 percent target. To meet the federal standards on providing proper benefit payments to eligible workers who file UI claims, the division operated a quality system for the payment of unemployment benefits and adjudication of related issues. The division made 92.3 percent of combined intra and interstate payments within 14 days of the first compensable week. This outcome met the 90 percent target.

To meet the federal standards on providing proper benefit payments to eligible workers who file UI claims, the division operated a quality system for the payment of unemployment benefits and adjudication of related issues. During FY03, 22,671 non-monetary determinations were resolved, which included both separation and non-separation issues within the federal guidelines. These determinations were resolved with an average quality score of 82.6 percent. This is above the federal standard of 75 percent.

During FY03, 22,671 non-monetary determinations were resolved, which included both separation and non-separation issues within the federal guidelines. These determinations were resolved with an average quality score of 82.6 percent. This is above the federal standard of 75 percent.

To meet the federal standards on timely and appropriate benefit payments, the division operated a UI appeals program. During FY03, 1,683 UI benefit decisions were issued; 1,462 or 87 percent were issued within 30 days. This exceeds the federal timeliness standard of 60 percent. The June 2003 quarterly results are not available yet, but for the first three quarters, appeals quality was measured at 98 percent.

To measure accuracy of unemployment payments, the division operated a quality control program. During FY03, 314 quality control paid benefit claims were selected for audit, and this number gives a 95 percent confidence interval. In August 2001, a new program to measure denied claims was implemented during the year. Under this program 336 additional cases were reviewed. The net percent of sample dollars overpaid during this period was 11.7 percent.

In FY03 the division recovered \$429,291 in overpaid benefits, which amounted to a 31 percent

increase over the \$328,711 recovered in FY 02.

In the UI division, customer service surveys continue to measure UI and appeals service. The surveys have recently been improved in an effort to achieve a higher response rate from participants. Current response rates average approximately 44 percent for UI claimants and employers. Claimants that file their claim via the Internet also have the option of completing a survey on-line. Quarterly results of all the survey results are distributed throughout the division for continuous improvement.

Continuous training of staff continues to be an important goal for the division. During FY03, 48 staff members received specialized training.

To foster the solvency of the UI fund, the unemployment insurance division maintained an actuarially-based employer rate system. The Unemployment Insurance Trust Fund (UITF) balance as of June 30, 2003 was \$178.3 million, and the balance in the state UITF (established under W. S. 27-3-209) balance was \$30.5 million, for a total of \$208.8 million.

## **Workers' Safety and Compensation Division**

### **General information**

Gary W. Child, administrator

### **Agency contact**

Gary W. Child  
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1510 E. Pershing Blvd., 1<sup>st</sup> Floor  
Cheyenne, WY 82002  
[gchild@state.wy.us](mailto:gchild@state.wy.us)

307/777-7159

### **Other locations**

Casper, Cody, Gillette, Lander, Laramie, Rock Springs and Sheridan

### **Year established and reorganized**

Workers' Compensation established 1913; reorganized 1990  
Workers' Safety established 1970; reorganized 1990

### **Statutory references**

Wyoming Constitution, Article 10, Section 4 Workers' Compensation, W.S. 27-14-101 through 27-14-805  
Workers' Safety, W.S. 27-11-101 through 27-11-114

### **Number of authorized personnel**

115

### **Organizational structure**

In addition to administration, the Workers' Safety

and Compensation Division (WSCD) is composed of eight operating units: Administrative and Fiscal Support, Business Projects, Case Support Services, Claims, Information Technology, Internal Audit and Compliance, Occupational Safety and Health (OSHA), and Training. The Office of the Medical Commission is considered an independent entity although it is funded by the division and is organizationally located within the division. Additional legal support is provided to the Workers' Compensation Division through the Attorney General's Office, W.S. 27-14-602(c), and the Office of Administrative Hearings, W.S. 27-14-602(a).

### **Clients served**

Workers' safety and compensation clients include workers injured in the course of their employment with covered employers, required coverage employers, those employers who elect coverage for their non-extra hazardous employees, and employers that fall under Occupational Health and Safety Regulations programs.

### **Budget information**

Administrative costs	\$14,652,461
Claims costs	\$103,885,561
Safety costs	\$1,675,345
<b>Total</b>	<b>\$120,213,368</b>

## **Results of outcomes**

The mission statement for the Wyoming Department of Employment emphasizes the delivery of quality services to agency customers, a philosophy practiced by the division. In order to evaluate the level of customer satisfaction experienced by injured workers who received workers' compensation benefits from the division during FY03, the claims unit mailed 3,600 customer service questionnaires to injured workers and received 1,187 claimant's responses. Of those responding, 88.3 percent reported they were satisfied with the Workers' Safety and Compensation Division's (WSCD) service.

The division's primary goal in the strategic plan is to ensure the prompt and accurate payment of benefits and maintain a solvent workers' compensation trust fund. The objective to meet this goal is to schedule 75 percent of temporary total disability (TTD) payments within 14 days of the notice of lost time. Over the course of FY03 the division developed and implemented an enhancement to our computer system to track this objective. This implementation was completed in July 2002 and results for FY03 indicate that the division scheduled 2,366 TTD payments out of 2,758 payments (86 percent) within 14 days of the TTD application receipt date.

To enhance training, educational and outreach services for high-risk employers to reduce the incidence and severity of injuries, Occupational Safety

and Health (OSHA) staff conducted six Management Excellence Seminars, seven three-day Collateral Duty-Health and Safety Programs, 41 Construction Safety Programs, one Ergonomic Program, three OSHA Recordkeeping Seminars, and 17 other training seminars. There were 2,583 participants in these courses representing 601 employers.

Employers were provided with incentives, including the use of penalty reductions, to encourage the reduction of accidents and injuries. In the three Consultation Exemption/Recognition Programs, a total of 96 employers were enrolled; two in the Voluntary Protection Program, 34 in the Safety and Health Achievement Recognition Program, and 82 in the Employer Voluntary Technical Assistance Program; 14 employers opted for the 75/25 Plan, 157 received penalty reductions for rapid abatement of hazards, and 1,201 were in the safety discount program.

## Department of Employment organization chart

