

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

No changes were made to the strategic plan for the period July 1, 2004 through June 30, 2005.

General information

Cynthia Pomeroy, Director

Agency contact

Patti Merchant
Cheyenne Business Center
1510 E. Pershing, 2nd Floor
Cheyenne, WY 82002
pmerch@state.wy.us
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 - 3 full-time

Clients served

Wyoming employers, labor force

Budget information

General fund.....	\$235,077
Total	\$235,077

Administration & Support Division

General information

Charles Rando, Administrator

Agency contact

Charles Rando
 Cheyenne Business Center
 1510 E. Pershing Blvd. 2nd Floor
 Cheyenne, WY 82002
 Crando@state.wy.us
 307/777-7672

Other locations

Labor Standards - Casper
 Year established and reorganized
 Fiscal/HR established 1990
 Labor Standards established 1917, reorganized 1990

Statutory references

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

Authorized personnel

Fiscal/HR - 7 full-time
 Labor Standards - 12 full-time

Organizational structure

The Division consists of two programs, Fiscal/HR and Labor Standards.

Clients served

All divisions within the department, employers, employees and the general public.

Budget information

Fiscal/HR - General Funds.....	\$411,576
Labor Standards - General Funds	\$698,215
Labor Standards - Federal Funds	\$69,868
Total	\$1,179,659

Results of outcomes

The fiscal/human resources unit, through its activities, supports all the department's goals and objectives along with developing and coordinating the measurements of the agency's strategic plan and analyzing legislative action affecting the department. 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, 2004 through June 30, 2005, 133 fair employment cases were closed, 81 of which or 60.9 percent were closed within 200 days or less from the date the complaint was initially filed. For the same time period, there were 1,036 wage claims closed. Of the 1,036 claims closed, 772 or 74.5 percent were closed within 60 days or less from the date they were opened. These percentages are somewhat less than the 75 percent Labor Standards strives to achieve. It should be noted, however, that Labor Standards was short one to two compliance officers during this time period.

Employment Tax Division

General information

Wendy Tyson, Administrator

Agency contact

Wendy Tyson
 P. O. Box 2760
 Casper, WY 82602-2760
 307/ 235-3201

Other locations

Cheyenne, Cody, 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.

Authorized personnel

61 full-time, 3 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	\$2,580,791
Other Funds	\$2,731,665
Total	\$5,312,456

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, 2005, was \$567.5 million, up from \$483.7 million for FY04. The Industrial Accident Fund includes reserves for unfunded liabilities. During FY05, \$298,598 was collected on case cost liabilities. Collection activities on delinquent premiums and related interest due were enhanced. At the end of FY05, the amount of delinquent workers' compensation employer premiums was \$2.7 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, 2005, was \$170 million, and the state UI Trust Fund balance was \$33.8 million, for a total of \$203.8 million. The UI Trust Fund was at 3.58 percent of total state coverage wages, just 0.08 percent over the objective of 3.5 percent and down from prior years due to three full years of legislatively mandated one-time tax rate reductions and high wage growth. To maintain the solvency of the UI Trust Fund, the ETD actively pursued collection activities on delinquent accounts. Collection activities included the filing of 112 liens on delinquent employers. Through the joint unemployment insurance/workers' compensation audit program, five auditors performed 400 audits and collected \$17,853.08 for UI and \$61,159.88 for WC.

To meet the needs and requests of employers, the Internet has been developed to allow employers to request forms and file reports. During FY05, employers used the Internet to request 10,416 joint letters of good standing (up from 5,382 in FY04), 54 workers' compensation extraterritorial coverage notices, 167 extra employee wage listing forms and 1,447 employment posters. Employers filed 15,980 joint unemployment insurance/workers' compensation summary reports, 3,306 unemployment insurance summary reports and 234 workers' compensation summary reports and 471,075 employee wage records using WIRE (Wyoming Internet Reporting for Employers). By the end of the filing period for the second quarter of 2005, 29 percent of active registered employers used WIRE to file. 36 percent of the expected employee wage records were filed by WIRE for the same quarter. Due to complications with the bank that handles UI deposits, electronic tax payment processes have not yet been developed. Staff continue to look at alternative options to offer electronic fund transfers (EFT) payments.

As of June 15, 2005, the amount of delinquent unemployment insurance employer taxes due was \$5 million, which included computer-generated jeopardy assessments of \$3.2 million on employers who had not provided wage information. Removing jeopardy assessments from the formula, the actual unemployment insurance accounts receivable remained steady during FY05. The percent of delinquent UI employer taxes in relationship to total UI employer taxes due was reduced by one percent during FY05. The division's field staff was responsible for the collection of both unemployment insurance and workers' compensation delinquencies.

To provide labor market information to individuals, businesses, education, labor and governmental entities, about 36 publications were made available through the Internet and in hard copy. Approximately 1,500 hard copies of the monthly publication, Wyoming Labor Force Trends, are distributed each month. R&P has responded to requests and needs of Labor Market Information (LMI) customers. Research was conducted for the Nursing Board and the Health Commission and is ongoing at this time. Both of these projects provided valuable information on the current health insurance and provider issues affecting Wyoming. UI Reed Act monies were used to purchase the basis for an Internet LMI program, ANSWERS (A National and State Workforce and Employment Research System). ANSWERS was placed in production during FY05.

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.wy.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.

Authorized personnel

6 full-time

Clients served

All mining operations and mine site contractors in Wyoming.

Budget information

Enterprise Fund	\$600,678
Total	\$600,678

Results of outcomes

The number of accidents was reduced by 1.6 percent when compared to the last reporting period. The frequency of injuries was reduced by 5.4 percent when compared to the last reporting period. The division inspected 100 percent of the mines and mine reclamation sites that it knew to be active during FY05. The division inspected 319 mines and mine site contractors during the year and performed 741 unannounced inspections during the year. There were 35 additional sites that were checked for mining activity. The division administrator held three training sessions during the year. The staff attended four other training classes, at different times, throughout the year. All requests for compliance assistance were addressed. The division sent out 256 surveys of which 103 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 surveys expressed dissatisfaction with the agency's services.

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
 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	\$24,434
Total	\$24,434

Agency to which group reports

Department of Employment

Number of members

10

Meeting frequency

Quarterly

Results of outcomes

The Wyoming Mining Council tested 110 mine foreman applicants and 25 mine examiner applicants. The council certified 105 mine foreman applicants and 24 mine examiner applicants.

Unemployment Insurance Division

General information

Randy Hopper, Administrator

Agency contact

Randy Hopper, Administrator
 P.O. Box 2760
 Casper, WY 82602-2760
 rhoppe@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 1990, 1993, 2000 and 2003

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).

Authorized personnel

83 Full-Time, 7 Part-Time

Organizational structure

Unemployment Insurance Benefits which includes Claims Center, Special Programs, Overpayments & Fraud, Management Support, Benefit Accuracy Measurement, Appeals, Legal, IT Support, IT Development, and Fiscal & Administration

Clients served

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

Budget information

Fund 001 Federal Funds	\$5,051,634.76
Other Funds	\$1,472,496.41
Fund 501 Other Funds	\$507,517.43
Total	\$7,031,648.60

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. During FY05, the division processed 23,712 UI initial claims. Of these, 82 percent of Wyoming initial claims were filed by telephone, 18 percent by Internet, with just a few claims now taken in-person or by mail. The claims center in Casper completed processing 100 percent of the initial claims.

Our Internet Continued Claims went into production April 1, 2005. Now weekly claims can be filed by telephone, by mail or by the Internet. Approximately eight (8) percent of weekly claims are filed via the Internet and all are processed through the claims center.

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. The division made 93.6 percent of combined intrastate and interstate payments within 21 days of the first compensable week. This outcome met the 90 percent target within the strategic plan.

The division also operated a quality system for the adjudication of non-monetary issues. During FY05, 14,640 non-monetary determinations were resolved within the federal guidelines. These determinations were resolved with an average quality score of 91.2 percent on 75 percent of the determinations reviewed each quarter.

The division operated a required UI appeals program with two levels of administrative hearings. During FY 05, 1,752 UI appeal decisions were issued and 91.3 percent were issued within 30 days. For FY 05, 215 Commission decisions were issued and 85 percent were issued within 45 days. This exceeds the federal timeliness standard of 60 percent. For FY05, 80 percent of lower authority appeals had a quality score averaging 96.25 percent. This is higher than the outcome goal of 85 percent. The three-member UI Commission reports to the division and meets once a month in Casper to hear the higher level appeals, the Commission members are appointed by the Governor.

To measure accuracy of unemployment payments, the division operated a quality control program. During FY 05, 380 quality control paid benefit claims were selected for audit, and this number gives a 95 percent confidence

interval. For the denied claims program, 465 additional cases were reviewed. This is a total of 845 cases reviewed for the year. The net percent of sample dollars overpaid during this period was 14.7 percent.

In FY 05 the division recovered \$363,851 in overpaid benefits, which amounts to a 10 percent decrease from the \$404,218 recovered in FY 04. This is attributable to an improvement in the Wyoming economy, which resulted in fewer UI claims. When fewer claims are filed less money is recovered by offsetting against benefits. Offsetting is the division's major collection tool.

In the UI Division, customer service surveys continue to measure UI service. Current response rates average approximately 41 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 surveys are distributed throughout the division for continuous improvement.

Continuous training of staff continues to be an important goal for the division. During FY05, 81 staff members received specialized training for a total of 419 individual sessions.

The Unemployment Insurance Division maintains an actuarially based employer rate system to foster the solvency of the UI fund. The Unemployment Insurance Trust Fund (UITF) balance as of June 30, 2005 was \$170 million, and the balance in the state UITF (established under W. S. 27-3-209) balance was \$33.7 million, for a total of \$203.7 million.

Workers' Safety & Compensation Division

General information

Gary W. Child, Administrator

Agency contact

Gary W. Child
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 Cheyenne, WY 82002
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 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

Authorized personnel

145

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 Safety and Health Regulations programs.

Budget information

Administrative costs	\$13,504,463
Claims costs	119,755,866
Safety costs.....	1,692,449
Total	\$134,952,778

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 FY05, the claims unit mailed 3,600 customer service questionnaires to injured workers and received 970 claimant's responses. Of those responding, 90 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. The results for FY05 indicate that the division scheduled 2,326 TTD payments

out of 2,689 payments (86.50 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 seven Management Excellence Seminars, four Three-Day Collateral Duty-Health and Safety Programs, 35 Construction Safety Programs and 44 other general training seminars. There were 2,142 participants in these courses, representing 692 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 153 employers were enrolled; five in the Voluntary Protection Program (VPP), 55 in the Safety and Health Achievement Recognition Program (SHARP), and 93 in the Employer Voluntary Technical Assistance Program (EVTAP); 33 employers opted for the 75/25 Plan, 212 received penalty reduction for rapid abatement of hazards, and 1,008 were in the safety discount program. Because of a 12-month delay for post-intervention claims data to be generated, claims reduction analysis for FY2004 Compliance inspection and Consultation visits is not yet available. The analysis of State FY2003 inspections and visits, for which we do have the 12-month post intervention data, showed an increase of 110 claims (2.3 percent) over the preceding 12 months. However, the 621 companies inspected or visited also showed an increase of 16.6 percent in the number of employees during the same time period, thus giving an overall 12.3 percent decrease in claims per employee. Providing quality services to customers through technology and skilled staff is another Departmental goal. To support the Department's information technology infrastructure to timely and accurately provide services to customers, the Division had committed to increase the percent of injury reports received electronically. Investigation and discussions with appropriate entities have determined that digital signature technology is currently cost prohibitive and hence, electronic reporting has not been implemented. Alternative business solutions are being evaluated presently and will be aggressively pursued as appropriate.

Department of Employment organizational chart

