

**Labor Commissioner
Budget 406
House Bill No. 1007**

	FTE Positions	General Fund	Other Funds	Total
2009-11 legislative appropriation	12.00	\$1,421,583	\$412,751	\$1,834,334
2007-09 legislative appropriation	<u>11.00</u>	<u>1,160,282</u>	<u>401,341</u>	<u>1,561,623</u>
2009-11 appropriation increase (decrease) to 2007-09 appropriation	1.00	\$261,301	\$11,410	\$272,711

NOTE: The 2009-11 legislative appropriation amounts include \$20,000 from the general fund for the agency's share of the \$16 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for executive branch employees.

Item Description

FTE changes - The 2009-11 biennium appropriation includes funding for 12 FTE positions, an increase of 1 FTE position from the 2007-09 biennium authorized level of 11 FTE positions. The Legislative Assembly did not change the executive recommendation to add 1 FTE compliance investigator position.

Whistleblower protection - Senate Bill No. 2267 (2009) provides that the Labor Commissioner is to receive complaints of violations of the state's whistleblower protection laws and may attempt to obtain voluntary compliance through informal advice, negotiation, or conciliation.

Status/Result

The Labor Commissioner filled the new FTE compliance investigator position on September 1, 2009. All 12 FTE positions within the agency are currently filled.

The Labor Commissioner made modifications to its retaliation intake form and website to begin accepting complaints of violations of whistleblower protection laws beginning July 2009. The agency has received one intake alleging retaliation under North Dakota Century Code Chapter 34-11.1 as well as some related telephone inquiries since making these modifications. The agency is in the process of gathering information to determine the best course of action to remedy the intake.