

BDR 53-1027

AB 255

EXECUTIVE AGENCY FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: March 26, 2015

Agency Submitting: Business and Industry, Division of Industrial Relations

Items of Revenue or Expense, or Both	Fiscal Year 2014-15	Fiscal Year 2015-16	Fiscal Year 2016-17	Effect on Future Biennia
Cat 01 Personnel Costs (Expense) (Expense)		\$189,826	\$254,926	\$254,926
Cat 04 Operating Expenses (Expense)		\$247,072	\$246,508	\$246,508
Cat 05 Equipment (Expense)		\$5,970		
Cat 26 Information Services (Expense)		\$8,994	\$1,426	\$1,426
Total	0	\$451,862	\$502,860	\$502,860

Explanation

(Use Additional Sheets of Attachments, if required)

The Division of Industrial Relations (DIR) would require additional staff to handle the increase in the contested rates. New furniture and computers would be required for the new staff. DIR would have to double its service contract for legal services to support the OSHA Review Board. The estimated cost to hire new employees, increase in legal services, and attorney reimbursements is estimated at \$451,862 in FY 16 and \$502,860 in FY 17. The effect on future biennia is assumed to match cost in FY 17.

Name Aaron Frantz

Title ASO II

DEPARTMENT OF ADMINISTRATION'S COMMENTS

Date Wednesday, March 18, 2015

The agency's response appears reasonable.

Name James R. Wells

Title Director

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: BDR 53-1027

Name of Agency: Industrial Relations

Division/Department: Division of Industrial Relations/ Business & Industry

Date: 03/17/2015

Assumptions:

- Number of cases going to the OSHA Review Board annually doubles from 68 (based on historical average) to 136 annually.
- Of the 136 annual cases Nevada OSHA losses 20% of these cases (28), but only 25% of these cases or a total of 7 cases annually qualify for reimbursement of fees and expenses.
- Estimate that for each of the 7 annual cases qualifying for reimbursement of fees and expenses that on average attorney costs will be \$8000 (40 hours per case @ \$200 per hour) and a factor of an additional 25% of these attorney costs will be awarded for other expenses and fees as defined by the bill.
- The increase in the number of cases going to the OSHA Review Board doubles the cost of contracted legal services to support the OSHA Review Board including the new requirements under this bill.
- DIR requires additional staff (one new attorney, one new legal research assistant, and one new informal conference officer) to handle the increase in the contest rate.

I. Costs associated to pay prevailing parties: (Category 04)

- **Year one** - Total of 7 cases qualify for reimbursement of fees and expenses.
 - Average reimbursement for attorney costs \$8000 (40 hours per case @ \$200 per hour)
X 7 cases = **\$56,000**
 - Factor additional 25% of attorney costs awarded for other expenses and fees as defined by the bill. $\$8000 \times .25 = \$2000 \times 7 \text{ cases} = \mathbf{\$14,000}$
- **Year two** - Total of 7 cases qualify for reimbursement of fees and expenses.
 - Average reimbursement for attorney costs \$8000 (40 hours per case @ \$200 per hour)
X 7 cases = **\$56,000**
 - Factor additional 25% of attorney costs awarded for other expenses and fees as defined by the bill. $\$8000 \times .25 = \$2000 \times 7 \text{ cases} = \mathbf{\$14,000}$

II. Costs associated for additional contracted legal services to support the OSHA Review Board: (Category 04)

- **Year one** – Contracted legal services double. Current budgeted amount of \$175,617. Add **\$175,617** in new contract legal cost.

- **Year two** – Contracted legal services double. Current budgeted amount of \$175,617. Add **\$175,617** in new contract legal cost.

III. Costs associated for additional DIR staff to handle increase in the contest rate:

Category 01 – Personnel Services

- **Year one** – Add one new attorney, one new legal research assistant, and one new informal conference officer.
 - Attorney (Unclassified) = **\$91,344** (includes salary and benefits)
 - Legal Research Assistant 1 (Grade 33) = **\$43,769** (includes salary and benefits)
 - Informal Conference Officer (Safety Supervisor Grade 39) = **\$54,713** (includes salary and benefits)
- **Year two** – Continued year two costs for one new attorney, one new legal research assistant, and one new informal conference officer.
 - Attorney (Unclassified) = **\$120,421** (includes salary and benefits)
 - Legal Research Assistant 1 (Grade 33) = **\$59,441** (includes salary and benefits)
 - Informal Conference Officer (Safety Supervisor Grade 39) = **\$75,064** (includes salary and benefits)

Category 04 – Operating

New staff added:

Insurance & Bond Assessments - 3 X \$117.00 = **\$351** (year one) and **\$350** (year two)
 State Phone Line – 3 X \$123 = **\$396** (year one) and 3 X \$142 = **\$426** (year two)
 Voice Mail – 3 X \$36 = **\$108** (year one) and 3 X \$38.33 = **\$115** (year two)
 Telephones - 3 X \$200 = **\$600** (year one)

Category 05 – Equipment

New staff added:

Office Furniture – Secretarial (Entire Unit) – 3 X \$1,990 = **\$5,970** (year one)

Category 26 – Information Services

New staff added:

Desk top computers - 3 X \$1,258 = **\$3,774** (year one)
 Microsoft Office Suite – 3 X \$330 = **\$990** (year one)
 Printers - 3 X \$669 = **\$2,007** (year one)
 Fax machine = **\$842** (year one)
 E-mails - 3 X \$74 = **\$222** (year one) and 3 X \$79.66 = **\$239** (year two)
 VPN - 3 X \$150.33 = **\$451** (year one) and 3 X \$155 = **\$465** (year two)
 IT charges (assessments & security) - 3 X \$236 = **\$708** (year one) and 3 X \$240.66 = **\$722** (year two)

Summary of Costs:

- Year one - **\$451,862**
- Year two - **\$502,860**

Section A1: Line Item Detail by GL

Budget Account: 4682 B&I - OCCUPATIONAL SAFETY & HEALTH ENFORCEMENT

Item No	Description	Actual 2013-2014	Work Program 2014-2015	W01 Year 1 2015-2016	W01 Year 2 2016-2017
E228	EFFICIENT AND RESPONSIVE STATE GOVERNMENT				
	AN ACT relating to occupational safety; providing for the award of certain costs, fees and expenses to prevailing parties in actions before the Occupational Safety and Health Review Board under certain circumstances; and providing other matters properly relating thereto.				
EXPENDITURE					
01	PERSONNEL				
5100	SALARIES Add one new attorney, one new legal research assistant, and one new informal conference officer.	0	0	126,238	171,470
5200	WORKERS COMPENSATION	0	0	3,066	2,602
5300	RETIREMENT	0	0	35,347	48,012
5400	PERSONNEL ASSESSMENT	0	0	770	1,028
5500	GROUP INSURANCE	0	0	19,431	24,990
5700	PAYROLL ASSESSMENT	0	0	177	240
5750	RETIRED EMPLOYEES GROUP INSURANCE	0	0	2,803	3,875
5800	UNEMPLOYMENT COMPENSATION	0	0	165	223
5840	MEDICARE	0	0	1,829	2,486
	TOTAL FOR CATEGORY 01	0	0	189,826	254,926
04	OPERATING EXPENSES				
7050	EMPLOYEE BOND INSURANCE	0	0	4	3
7054	AG TORT CLAIM ASSESSMENT	0	0	347	347
7060	CONTRACTS Scarpello, Attorney at Law provides legal services to the Division and to the OSHA review Board. The current budget authority for this service is \$175,617.	0	0	175,617	175,617
7080	LEGAL AND COURT See Exhibit I for details	0	0	70,000	70,000
7292	EITS VOICE MAIL 3 voice mails	0	0	108	115
7295	EITS STATE PHONE LINE 3 new phone lines	0	0	396	426
7460	EQUIPMENT PURCHASES < \$1,000 3 new phones for new employees.	0	0	600	0
	TOTAL FOR CATEGORY 04	0	0	247,072	246,508
05	EQUIPMENT				
8241	NEW FURNISHINGS <\$5,000 - A New furniture for new employees.	0	0	5,970	0
	TOTAL FOR CATEGORY 05	0	0	5,970	0
26	INFORMATION SERVICES				
7460	EQUIPMENT PURCHASES < \$1,000 New fax machine. [See Attachment]	0	0	842	0

State of Nevada - Budget Division
Line Item Detail & Summary
2015-2017 Biennium (FY16-17)

Item No	Description	Actual 2013-2014	Work Program 2014-2015	W01 Year 1 2015-2016	W01 Year 2 2016-2017
7533	EITS EMAIL SERVICE 3 new e-mails.	0	0	222	239
7545	EITS VPN SECURE LINK 3 new VPNS.	0	0	451	465
7554	EITS INFRASTRUCTURE ASSESSMENT System generated	0	0	398	413
7556	EITS SECURITY ASSESSMENT System generated	0	0	310	309
7771	COMPUTER SOFTWARE <\$5,000 - A 3 new operating systems for new computers.	0	0	990	0
8371	COMPUTER HARDWARE <\$5,000 - A 3 new computers for new employees.	0	0	5,781	0
TOTAL FOR CATEGORY 26		0	0	8,994	1,426
TOTAL EXPENDITURES FOR DECISION UNIT E228		0	0	451,862	502,860
TOTAL REVENUES FOR BUDGET ACCOUNT 4682		0	0	0	0
TOTAL EXPENDITURES FOR BUDGET ACCOUNT 4682		0	0	451,862	502,860

State of Nevada - Budget Division
Line Item Detail & Summary
2013-2015 Biennium (FY14-15)

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Item No	Description	Actual 2011-2012	Work Program 2012-2013	L01 Year 1 2013-2014	L01 Year 2 2014-2015
6170	DINERS CLUB ATM CHARGES O/S	0	6	0	0
	TOTAL FOR CATEGORY 02	9,267	13,015	9,267	9,267
03	IN-STATE TRAVEL				
6200	PER DIEM IN-STATE	20,974	17,652	20,974	20,974
6202	PER DIEM IN-STATE-B	2,359	1,222	2,359	2,359
6205	PER DIEM IN-STATE-E	0	1,744	0	0
6210	MP DAILY RENTAL IN-STATE	0	38	0	0
6215	NON-MP VEHICLE RENTAL IN-STATE	236	83	236	236
6230	PUBLIC TRANSPORTATION IN-STATE	0	31	0	0
6232	PUBLIC TRANS IN-STATE-B	106	11	106	106
6240	PERSONAL VEHICLE IN-STATE	3,507	2,297	3,507	3,507
6242	PERSONAL VEHICLE IN-STATE-B	340	182	340	340
6250	COMM AIR TRANS IN-STATE	4,832	8,327	4,832	4,832
6252	COMM AIR TRANS IN-STATE-B	8,528	3,813	8,528	8,528
6270	DINERS CLUB ATM CHARGES I/S	40	25	40	40
	TOTAL FOR CATEGORY 03	40,922	35,425	40,922	40,922
04	OPERATING EXPENSES				
7020	OPERATING SUPPLIES	21,469	21,418	19,744	19,744
7021	OPERATING SUPPLIES-A	6,050	4,283	6,050	6,050
7030	FREIGHT CHARGES	1,840	1,088	1,734	1,734
7040	NON-STATE PRINTING SERVICES	2,359	1,752	2,359	2,359
7045	STATE PRINTING CHARGES	3,120	3,345	3,120	3,120
7050	EMPLOYEE BOND INSURANCE	287	298	298	298
7051	AGENCY OWNED - PROP. & CONT. INSURANCE	222	0	0	0
7052	VEHICLE COMP & COLLISION INS	3,198	3,067	3,198	3,198
7054	AG TORT CLAIM ASSESSMENT	13,137	13,651	13,652	13,652
7056	INSURANCE DEDUCTIBLES	1,200	0	0	0
7059	AG VEHICLE LIABILITY INSURANCE	8,602	8,251	8,602	8,602
705A	NON B&G - PROP. & CONT. INSURANCE	0	222	219	219
7060	CONTRACTS	0	399	0	0
7061	CONTRACTS - A	9,486	5,530	9,486	9,486
* 7062	CONTRACTS - B	* 175,617	120,268	175,617	* 175,617
7063	CONTRACTS - C	6,783	0	4,638	4,638
7080	LEGAL AND COURT	12,646	10,509	12,646	12,646
7090	EQUIPMENT REPAIR	12,726	7,837	12,726	12,726
7110	NON-STATE OWNED OFFICE RENT	521,758	543,364	545,227	573,899
7120	ADVERTISING & PUBLIC RELATIONS	702	0	702	702
7151	OUTSIDE MAINTENANCE OF VEHICLE	22,619	30,109	22,619	22,619
7153	GASOLINE	20,589	22,496	20,589	20,589
7154	VEHICLE OPERATION - A	12	18	12	12



800.808.4239

Brother IntelliFAX-5750e



Mfg. Part: PPF5750E | CDW Part: 404732 | UNSPSC: 44101503



- Laser
- Fax / copier (B/W) Copying: Up to 15 ppm
- Printing: Up to 15 ppm
- 33.6 Kbps

Availability: **In Stock**

Ships same day if ordered before 4pm CT

CDW's Lowest Online Price

\$841.49

Extranet Price

Lease Option (\$26.25 /month)

Recommended Warranty

3Y Printers and All in One RPR PLAN \$700-1199

\$75.80

Extranet Price

Product Overview

Main Features

- Laser
- Fax / copier (B/W) Copying: Up to 15 ppm
- Printing: Up to 15 ppm
- 33.6 Kbps

Business Class Laser Fax Machine with 33.6K bps modem

This network-ready, business class Laser Fax with Super G3 33.6K bps modem and 8MB memory with dual access can store up to 600 pages for out-of-paper reception, QuickScan, auto dialing, and fax broadcasting to up to 282 locations. A paper capacity of up to 500 pages (dual 250-sheet trays), 50-page auto document feeder, and up to 4-day memory back-up combined with a high duty cycle and high yield consumables to handle demanding business applications cost-efficiently.

A built-in 10/100 BaseTX Ethernet network print/fax server allows for network connectivity now or in the future. Delivering high speed laser performance and reliability at low operating costs, it also copies at up to 15 copies/minute, sorts, enlarges and reduces.

Technical Specifications

Specifications are provided by the manufacturer. Refer to the manufacturer for an explanation of the print speed and other ratings.

Consumables Included

Color:	Black
Duty Cycle:	3000
Included Qty:	1
Type:	Cartridge
Duty Cycle:	20000
Type:	Drum

Copying

Automatic Duplexing:	None
Gray Scale Half-Tones:	64
Max Copying Speed B/W:	15 ppm
Max Document	200%
Enlargement:	
Max Document Reduction:	50%
Maximum Copies:	99

Document & Media Handling

Document Feeder Capacity:	50 sheets
Max Media Size:	Legal (216 x 356 mm) , Legal (8.5 in x 14 in)
Max Original Size:	8.5 in width
Media Size Class:	Legal

Min Original Size:	5.8 in width
Original Type:	Sheets
Standard Media Capacity:	500 sheets
Supported Media Type:	Plain paper

Document & Media Handling Details

Max Media Size:	Legal (8.5 in x 14 in)
Media Feeder Capacity:	250 sheets
Media Feeder Qty:	2
Type:	Input tray

Fax Machine

Compatibility:	Super G3
Data Compression System:	JBIG , MH , MMR , MR
Fax Resolutions:	203 x 196 dpi , 203 x 392 dpi , 203 x 98 dpi
Handset:	Corded handset
Max Transmission Speed:	33.6 Kbps
Total Memory Capacity:	600

Fax Machine Features

Broadcast Transmission:	282 stations
Caller ID:	Yes
Error Correction Mode (ECM):	Yes
Features:	Fax forwarding
Speed Dialing:	200 Station(s)
Telephone Fax Switch:	Yes

Finishing Equipment

Binder:	None
Collator:	None
Stacker:	None
Stapler:	None

Header

Brand:	Brother
Manufacturer:	Brother International
Model:	5750e
Packaged Quantity:	1
Product Line:	Brother IntelliFAX

Interface Required

Type:	USB
Type:	Parallel
Type:	LAN

Memory

Standard Memory:	8 MB
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Miscellaneous

Compliant Standards:	UL
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Office Machine

Fax Type:	Plain paper
Functions:	Copier , Fax
Printing Output Type:	Monochrome
Printing Technology:	Laser
Type:	Fax / copier

PC Connectivity

PC Connection:	LAN , Parallel , USB
PC Connection Availability:	Yes

Power Adapter

Frequency Required:	50/60Hz
Power Consumption	940 Watt
Operational:	
Power Consumption Sleep:	10 Watt
Power Consumption	70 Watt
Standby:	
Voltage Required:	AC 120 V

Printing

Max Printing Speed B/W (ppm):	15 ppm
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Service

Support Details Full Contract	1 year
Period:	
Support Details Service	Parts and labor

Included:

Dimensions & Weight

Depth:	17.1 in
Height:	17 in
Weight:	31.1 lbs
Width:	17.4 in

Display

Characters Line Qty:	16 characters
Line Qty:	2 lines

RAM

Installed Size:	8 MB
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Service & Support

Type:	1 year warranty
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