



SC DEPARTMENT OF LABOR, LICENSING AND REGULATION

FY 2024-25

**House Ways and Means Subcommittee
Budget Hearing**



SC DEPARTMENT OF LABOR, LICENSING AND REGULATION

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SC DEPARTMENT OF LABOR, LICENSING AND REGULATION

1. Key Officials

Emily H. Farr, Agency Director

Kristina Baker, Deputy Director, Division of Labor

Holly Beeson, Counsel to Office of Communications and Governmental Affairs

Robbie Boland, Deputy Director, Division of Professional and Occupational Services

Susan Boone, General Counsel & Deputy Director, Division of Legal Services & Enforcement

Kathryn Britt, Director, Human Resources

Nathan Ellis, Assistant State Fire Marshal, State Fire

Matt Faile, Chief Information Officer

Brittany N. Hammond, Chief Financial Officer

Pat Hanks, Chief Disciplinary Counsel

Bob Horner, Chief Advice Counsel

Jonathan Jones, State Fire Marshal, State Fire

Virginia Wetzel, Director of Governmental Affairs



SC DEPARTMENT OF LABOR, LICENSING AND REGULATION

2. Agency Overview

LLR's mission is to promote the health, safety and economic well-being of the public through regulation, licensing, enforcement, training and education.

- 461 Authorized FTEs and 258 Temporary Employees

Major Program Areas

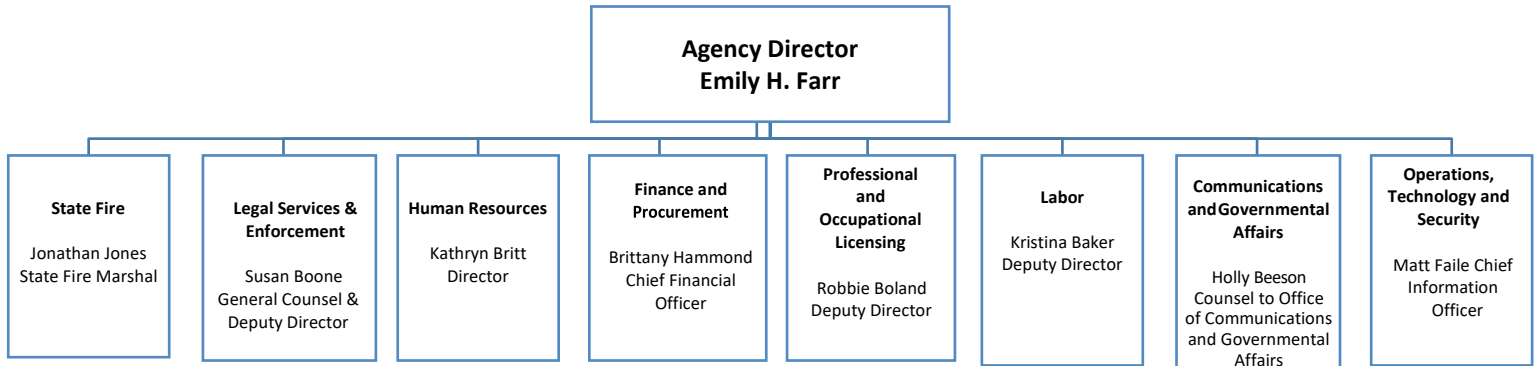
- Division of Professional and Occupational Licensing
 - 42 Licensing Boards
 - Office of Elevators and Amusement Ride Safety
- Division of Legal Services and Enforcement
 - Office of Investigations and Enforcement
 - Office of Disciplinary Counsel
 - Office of Advice Counsel
- State Fire
 - Office of State Fire Marshal
 - SC Fire Academy
 - Emergency Response
- Division of Labor
 - South Carolina Occupational Health and Safety Administration
 - Immigration Compliance
 - Wages and Child Labor Enforcement

The Agency is self-sustaining, with 97.3% of the Agency's funding deriving from Other Funds, and only 2.7% of the funding is derived from State Funds.



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3. Organizational Chart and FTE Breakdown





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FTE Breakdown (as of January 2024)

Division	Authorized
State Fire	79
Admin	47
Legal/OIE	117
Labor	79
POL	139
Total	461

Funding	Filled	Vacant	Subtotal
State	30.15	4.8	34.95
Other	363.75	23.5	387.25
Federal	31.1	7.7	38.8
Total	425	36	461



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4. Accountability and Performance Update

FY22-23 Accomplishments

I. Promoting a positive business climate, efficient use of public resources

- Restructured the Professional and Occupational Licensing Division, separating the licensing functions from the investigative functions, the latter of which are now with the Office of Disciplinary Counsel and Office of Advice Counsel to form the new Division of Legal Services and Enforcement.
- Licensing boards received 272,448 phone calls with 91.80% answered within 5 minutes.
- Licensing boards issued 39.1% of new licenses to qualified applicants within 15 business days, up from 31% last year.
- The Agency added 364 new types of applications available electronically and revised others to make them more user-friendly, decreasing processing times.
- Continuing education audits were completed for four boards.
- The Agency completed 3,334 investigations, up from 2,245 in the previous year, and 13,803 inspections, up from 11,670 in the previous year.
- The Agency developed and implemented several new licensing and inspection processes following the passage of laws impacting programs, including electronic telehealth applications, promulgating regulations and related application and inspection processes for mobile optometry law, approving new Pharmacy Access Protocol for dispensing birth control, onboarding new processes and policies and applications for compliance with new licensing compacts, and promulgating and developing new permitting and inspection program for Massage Therapy.

II. Championing workplace safety and health

- In FY22-23, SC OSHA conducted 241 total inspections, of which 171 were safety inspections and 70 were health inspections.
- SC OSHA's Office of Outreach and Education received 604 consultation requests and visited 640 workplaces with all 640 achieving compliance without the need for reference to SC OSHA's compliance division. This resulted in \$3.8 million in potential OSHA fines saved by businesses achieving compliance, an increase of \$1 million over last year.
- There was an 11.5% decrease in the number of fatalities in the workplace.

III. Serving as statewide leader in minimizing fire loss and death, providing fire and emergency services training and responding to state emergencies and disaster-related events

- There was an 8% decrease in fire fatalities in 2022 from the prior calendar year.
- Fire Safe SC program designated 132 fire departments as Fire Safe SC Communities in 2022, increasing participation by 26%.



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- The Emergency Response division conducted 52 different activities for a total of 27,820 hours of training and response for the Emergency Response Task Force and coordinated requests for assistance from local fire departments for 4 events through SC Firefighter Mobilization.
- The SC Fire Academy conducted 101 EMS-related classes, including 23 EMT classes across the state with an 89% first attempt pass rate and an overall 96% pass rate on the National Registry exam for initial EMT students.
- The SC Fire Academy received reaccreditation through Pro Board following a review of its courses and instruction to ensure it met national standards.
- All inspections and fire sprinkler plan reviews for State Fire Marshal's Office are now completed using an information management system that allows customers to request an inspection, apply for an operational permit, submit plans for review and see when the activity is scheduled and completed. It also allows the agency the ability to better schedule, plan and conduct those activities.

IV. Maximizing organizational excellence and effectiveness

- The Agency successfully launched extensive renovations of its headquarters with completion of public spaces and board rooms in July 2023. The renovations included improved security to the building, added customer service kiosks, waiting room space and smaller meeting rooms for walk-in customers and private conferences. It enhances the board rooms to provide 4 new state-of-the-art conference rooms with ample seating space and live streaming capability for transparency and public access.
- The Agency averaged 36 business days to fill a vacant FTE, down from 41 days the previous fiscal year, and 90% of offers extended were accepted.
- Achieved Top Ten status from the SC Human Affairs Commission for demonstrating Equal Employment Opportunity.



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5. Financial Update

Budget vs. Actual: FY23-24 (as of November 30, 2023)

R360 DEPT OF LABOR, LICENSING, & REGULATIONS			
Major CI Name	Budget Act CI Info	Current Budget	YTD Actual Expense
Personal Services	501015 DIRECTOR	\$190,000.00	\$78,462.96
	501058 CLASSIFIED POS	\$27,107,061.00	\$10,135,809.38
	501060 UNCLASS POSITIONS	\$149,100.00	\$62,125.00
	501070 OTH PERS SVC	\$3,412,219.00	\$1,124,091.41
Personal Services Total:		\$30,858,380.00	\$11,400,488.75
Other Operating Expenses	512001 OTHER OPERATING	\$18,706,313.00	\$9,581,550.97
Other Operating Expenses Total:		\$18,706,313.00	\$9,581,550.97
Special Items	561000 MISC OPS	\$43,550,341.29	
Special Items Total:		\$43,550,341.29	
Permanent Improvements	507000 LND & BLDG	\$861,056.44	\$142,678.87
Permanent Improvements Total:		\$861,056.44	\$142,678.87
Distribution to Subdivision	517011 ALLOC MUN-RES		\$220,186.84
	517020 ALLOC CNTY-UNRES		\$10,849,000.00
Distribution to Subdivision Total:			\$11,069,186.84
Employer Contributions	513000 EMPLOYER CONTRIB	\$13,002,106.00	\$4,950,318.51
Employer Contributions Total:		\$13,002,106.00	\$4,950,318.51
R360 DEPT OF LABOR, LICENSING, & REGU Total:		\$106,978,196.73	\$37,144,223.94

*Summary of Expenditures by Agency
(424)



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Budget vs. Actual: FY22-23 (as of June 30, 2023)

R360 DEPT OF LABOR, LICENSING, & REGULATIONS			
Major CI Name	Budget Act CI Info	Current Budget	YTD Actual Expense
Personal Services	501015 DIRECTOR	\$143,560.00	\$143,559.84
	501058 CLASSIFIED POS	\$23,744,754.52	\$21,576,380.35
	501059 NEW POS-CLASS	\$0.00	
	501060 UNCLASS POSITIONS	\$123,019.17	\$67,313.25
	501070 OTH PERS SVC	\$3,425,166.81	\$2,779,544.82
Personal Services Total:		\$27,436,500.50	\$24,566,798.26
Other Operating Expenses	512001 OTHER OPERATING	\$16,371,562.78	\$19,027,519.96
Other Operating Expenses Total:		\$16,371,562.78	\$19,027,519.96
Special Items	561000 MISC OPS	\$15,588,587.01	
Special Items Total:		\$15,588,587.01	
Permanent Improvements	507000 LND & BLDG	\$726,201.92	\$726,201.92
Permanent Improvements Total:		\$726,201.92	\$726,201.92
Distribution to Subdivision	517011 ALLOC MUN-RES		\$274,916.24
	517020 ALLOC CNTY-UNRES		\$6,195,000.00
	517021 ALLOC CNTIES-RES	\$2,059,650.00	\$5,059,650.00
Distribution to Subdivision Total:		\$2,059,650.00	\$11,529,566.24
Employer Contributions	513000 EMPLOYER CONTRIB	\$11,026,493.38	\$10,308,009.27
Employer Contributions Total:		\$11,026,493.38	\$10,308,009.27
R360 DEPT OF LABOR, LICENSING, & REGU Total:		\$73,208,995.59	\$66,158,095.65

*Summary of Expenditures by Agency (424)



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Cash Carry Forward: FY22-23 (as of June 30, 2023)

FY Fund High Level Info	FY Fund Mid Level Info	Ending Balance	
10000000 GENERAL FUND	1001 GENERAL FUND	\$0.00	
20000000 GEN FUND REVENUE	2823 INDIRECT COST REC	\$0.00	
	2837 GENERAL REVENUE	\$0.00	
30000000 EARMARKED FUNDS	3003 DUAL EMPLOYMENT	\$0.00	
	3024 HR-PR DEFAULT	\$0.00	
	3026 PR LIABILITIES - SAP	\$0.00	
	3035 OPERATING REVENUE	\$22,740,678.72	
	3098 DONATIONS	\$631.92	
	3135 POLA REVENUE	\$44,678,797.63	
	3150 CVO SPECIAL REVENUE	\$0.00	
	3173 EDUC & RESEARCH FD	\$1,161,669.21	
	3282 REAL ESTATE APP REG	\$131,867.08	
	34E4 INCREASED ENFORCE	\$0.00	
40000000 RESTRICTED FUNDS	3521 GRANTS-NONFEDERAL	\$1,086.01	
	3634 CAP RES FD OPER	\$0.00	
	3730 VAC TIME SHAR REC	\$253,980.00	
	3907 CAP PROJ-OTHER FD	\$359,990.83	
	4592 AUCTIONEER RECOVERY FUND	\$126,274.40	
	50000000 FEDERAL FUNDS	5055 FEDERAL	(14,464.45)
		5093 HOMELAND SECURITY	(\$0.01)
		5108 CONSULT PRIV SEC	(72,243.60)
		5109 OSHA-FEDERAL	(\$229,554.24)
		5110 BLS STATISTICS	\$7,964.28
51C1 CARES ACT - CRF		\$0.00	
5511 ADJUT GEN PUB ASSST		(18,999.56)	
57S7 ARRA-CAP PROJ-FED FD		\$0.00	
H0000000 SC01/H0000000	HRPA HRPAY	\$0.00	
	Sum:	\$69,127,678.22	

*BEX Cash by Fund report



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6. Budget Request Summary

Priority # 1: Other and Federal Fund Authorization - Personal Services and Employer Contributions

Amount: \$147,223 (Federal Funds); \$2,508,354 (Other Funds)

Justification:

Other and Federal Authorization is being requested in association with the increases below in FY 2023-24:

- Base Pay increase (\$2,500 for FTEs making \$50,000 and under, and 5% for FTEs making more than \$50,000), including related employer contributions
- 1 % Retirement rate increase for employees covered under SCRS and PORS
- 3.7% composite average employer premium increase for active and retired subscribers covered by the State Health Plan for 2024

Priority # 2: OSHA Voluntary Programs, Occupational Safety and Health, Fire Academy - Federal Funds Authorization

Amount: \$536,735 (Federal Funds)

Justification:

The Agency has received increases in its Federal Awards. Increased federal funds authorization is needed to cover federal funding in grants that support the Labor Division, OSHA, and the Fire Academy. Due to these increases, the federal funds authorization for Employer Contributions for these programs must also be increased.

Priority # 3: Fire Academy and Office of State Fire Marshal - FTE Authorization (6)

Amount: \$511,070 (Other Funds)

Justification:

The Agency requests six FTEs to address new program responsibilities of the Office of State Fire Marshal and to meet the training demands of the SC Fire Academy.

- Expanded participation in the V-Safe program (471%)
- Increase in meals served in the onsite cafeteria (29%)
- Increased enrollment in course offerings
- Growth in the Career Technology Center program

FTEs include a Grant Administrator, Resident Coordinator (2), CTC Coordinator, Instructor Development Coordinator, and Food Services Specialist.



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Priority # 4: Administration - FTE Authorization (2)

Amount: \$216,050 (Other Funds)

Justification:

The Agency is requesting an additional two FTEs for its Division of Technology and Services (DOTS) to continue developing systems and portals to benefit Agency programs and enhanced services for the citizens of South Carolina. The FTEs will be dedicated to supporting State Fire and Professional and Occupational Licensing programs.

Priority # 5: Occupational Safety and Health - Matching Funds for Grants

Amount: \$503,095 (General funds)

Justification:

LLR's OSHA Programs are established and funded through federal grants from the US Department of Labor and recently received a substantial award increase of \$239,300 in FY2024. This award increase requires 100% matching funds from the State.

Considering the General Fund Appropriations, the Agency previously received, we request an additional \$503,095 to expend the Federal Award fully. A projection of a 3% increase for the FY2025 grant year is included to ensure the Agency will have the funds to expend the Federal award fully.

Priority # 6: Office of State Fire Marshal - Other Operational Expenses

Amount: \$1,054,333 (General funds)

Justification:

General Fund Appropriations for Operational Expenses are needed for the State Fire's Emergency Response Division - Urban Search and Rescue (USAR). The Agency does not receive any dedicated funding to support this Division.

USAR performs emergency rescue services for the citizens of South Carolina. The program uses heavy-duty equipment and specialized first responders during life-saving events.

The funds are requested to support employee, equipment, vendor, and contractor expenses related to maintaining the program and the equipment needed to perform the rescues.



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7. Proviso Request Summary

Title: LLR: Meals in Emergency Operations

Budget Program: Fire Academy & Office of State Fire Marshal

Proposed Text: (LLR: Meals in Emergency Operations)

The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees and volunteers who are not permitted to leave assigned duty stations during actual emergencies and emergency simulation exercises.

Title: SC Fire Academy Instructure Critical Needs

Budget Program: Fire Academy & Office of State Fire Marshal

Proposed Text: (GP: SC Fire Academy Instructor Critical Needs)

Any certified instructor of the South Carolina Fire Academy who has retired from the Police Officers Retirement System or South Carolina Retirement System may return to employment at the South Carolina Fire Academy within the South Carolina Department of Labor, Licensing and Regulation as a critical needs Fire Academy instructor without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System or South Carolina Retirement System. The South Carolina Fire Academy must develop guidelines and curriculum for these instructors to be recertified as fire academy instructors if they have been inactive for a year or more.



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8. Agency Budget Request Documents