

Department of California Highway Patrol—Continued  
ANALYSIS

The Budget Act of 1960 included a like amount for the same purpose and in the current year, to date, no emergencies have arisen to encumber the item. This item has appeared in each budget act commencing with the Budget Act of 1957 and includes language limitations to the effect it can only be used for the purchase and operation of motor vehicles as authorized by the Department of Finance and with the consent of the Governor.

*We recommend approval of this item.*

**DEPARTMENT OF INDUSTRIAL RELATIONS**

ITEM 133 of the Budget Bill

Budget page 352

**FOR SUPPORT OF DEPARTMENT OF INDUSTRIAL RELATIONS FROM THE GENERAL FUND**

Amount requested .....	\$11,425,508
Contribution to State Employees' Retirement System .....	724,746
Total .....	\$12,150,254
Estimated to be expended in 1960-61 fiscal year .....	11,612,437
Increase (4.6 percent) .....	\$537,817
<b>TOTAL RECOMMENDED REDUCTION .....</b>	<b>\$101,496</b>

**Summary of Recommended Reductions**

	<i>Amount</i>	<i>Budget</i>	
		<i>Page</i>	<i>Line</i>
Division of Conciliation			
Salaries and Wages			
1 Conciliator .....	\$9,384	352	26
Division of Industrial Welfare			
1 Senior stenographer-clerk .....	4,512	355	57
2 Intermediate stenographer-clerk .....	8,184	355	58
Division of Labor Law Enforcement			
2 Special investigator .....	11,544	356	48
Division of Fair Employment Practice			
Salaries and Wages			
7 Consultant .....	51,492	359	13
2 Intermediate typist-clerk .....	7,992	359	14
2 Intermediate stenographer-clerk .....	8,388	359	15

**GENERAL SUMMARY**

The department is composed of 10 divisions and has as its general purpose the administration and enforcement of state labor laws designed to promote the welfare of the wage earners of the State, improve their working conditions, and advance their opportunities for profitable employment.

Seven of the divisions are headed by chiefs appointed by the Governor and of these seven, six contain Governor-appointed boards or commissions, each with specific duties. Of the 10 divisions, two perform staff services for the department while the remaining eight administer and in some cases enforce various labor laws. While the State Compensation Insurance Fund in addition is technically within the department's organizational structure, it is in fact a non-general fund activity and is not included in Budget Act appropriations.

## Department of Industrial Relations—Continued

The large number of appointees in this department results in some confusion of lines of authority and responsibility, tends to emphasize divisional autonomy and largely limits the director's effective control over the various divisions to so-called housekeeping matters. Attempts to introduce efficiencies through consolidation or redistribution of responsibilities, functions and physical facilities are therefore more than ordinarily hampered.

Workload in this department bears a direct relationship to population and the size of the State's workforce and its growth. For this reason realistic workload measurements assume special importance. A number of the divisions in the department employ workload formulas which with the approval of the Department of Finance and the concurrence of this office have been used heretofore as the basis of requests for added positions in budget requests. It appears to us that in the budget requests for fiscal year 1961-1962 some of the position requests are smaller than would be indicated by these formulas. This raises the question that the formulas may perhaps be over-generous and subject to downward revision.

According to its current published directory, the department, in addition to its headquarters offices in San Francisco, maintains branch offices in 24 other California cities, in which from one to several of the divisions maintains field and clerical personnel. *It is our recommendation that the department institute a plan to consolidate clerical personnel under direction of the Division of Administration in all branch offices which house more than one division.* We believe such a plan will result in savings to the State and increase operating efficiency.

The Division of Industrial Accidents is the department's largest division both in personnel and in budgeted cost. This division's currently authorized positions number 375.7 and its budget request for fiscal year 1961-1962 totals \$3,391,103, or 28 percent of the proposed costs of the entire departmental operation in the budget year. As we note later, in our analysis of this division, its function is basically that of claims adjustment, a service normally and regularly performed by insurance carriers for the benefit of their premium payers. For reasons of public policy the State provides a service for workmen's compensation claimants, through its Division of Industrial Accidents, to insure ready attention to the needs of workmen and their dependents and to avoid long drawn out controversy. It appears to us that for a small addition to premiums charged for workmen's compensation insurance the cost of the division could be transferred from the General Fund of the State to the insured employers. It is our view that these charges are the proper responsibility of the employers now benefitting from this free service of the State.

Our views are elaborated in a report issued by the Legislative Analyst dated December 2, 1959, under the title "Financing the State Costs of the Industrial Accident Problem in California." In that report we note that 27 states, spending 65 percent of the total national expenditure on workmen's compensation administration, have adopted some

## Department of Industrial Relations—Continued

method of self-financing. In all of these states the cost of the board or commission is paid by employers, either directly or indirectly. In our report we present details of a possible method of financing for California based on an assessment, covering actual cost of the Industrial Accident Commission and levied against gross premium income, the range of assessment lying between 2 and 4 percent.

## ANALYSIS

The department is proposing the expenditure of \$12,150,254 during fiscal year 1961-1962. This is \$537,817, or 4.6 percent more than estimated expenditures for the current year.

## Salaries and Wages

The department is requesting 52.5 new positions to be added to its currently authorized 1,218.1 positions and proposes to spend \$9,183,180 for salaries and wages in fiscal year 1961-1962, an increase of \$433,842 or 5 percent over estimated expenditure for the current year.

We call attention to the department's estimate of \$382,600 in salary savings for the budget year with an estimate of 46.8 positions which may remain unfilled. This number reduces the request for 52.5 new positions to an estimated effective gain of only 5.7 positions.

Proposed salary savings normally reflect turnover, difficulties in recruiting and similar problems and should in amount be related to ongoing experience in the department. If it is anticipated that some positions will not be filled they should be abolished and related budget costs eliminated. It is regular budget procedure to gear costs of operating expense and equipment in part to the authorized number of positions. Any reduction in such number should result in savings of the related costs.

## Operating Expenses

The department requests a total of \$2,348,856 for operating expenses during fiscal year 1961-1962, an increase of \$151,064 or 6.9 percent over estimated expenditures for the current year.

As we note later in our analysis of the Division of Administration the largest item of operating expense in this department is rent for office space. This item has grown larger since department activities have been and are being housed in new state buildings. The following table indicates the range of rents, number of positions and amount of rent paid per employee beginning with fiscal year 1957-1958 and extending through the budget year.

<i>Fiscal year</i>	<i>Number of employees</i>	<i>Amount of rent</i>	<i>Percent increase</i>	<i>Amount per employee</i>
1957-1958	991.8 filled	\$353,556 actual	—	\$356.41
1958-1959	1,046.1 filled	401,597 actual	14	383.94
1959-1960	1,086.2 filled	529,357 actual	32	487.44
1960-1961	1,178.2 auth.	898,443 estimated	70	762.69
1961-1962	1,223.8 proposed	1,025,932 estimated	14.2	838.18

On the basis of the proposed number of positions in fiscal year 1961-1962 and the estimated amount of rent to be paid per employee the

**Department of Industrial Relations—Continued**

employee unit of rent will be increased \$481.77, a gain of 107.1 percent in the five year period.

The increase reflects the high cost of space in new state buildings as compared to that in former rent-free state quarters or under leases of private office space. In addition to direct rent there are the costs of added storage equipment for space areas in new state building where individual office storage closets are not now provided. It does not appear to us that this substantial increase in space rent per employee has resulted or will result in increases in employee efficiency and production of the same magnitude.

**Equipment**

The department proposes to expend \$91,636 for equipment in 1961-1962, a decrease of \$70,549 or 43.5 percent of estimated expenditures for this purpose for the current year.

**Division of General Administration****GENERAL SUMMARY**

The Division of Administration includes the departmental director's office and the office of the manager of the self insurance program who administers certain positions of the Workmen's Compensation and Insurance provisions of the Labor Code. In addition the division provides accounting, budgeting, personnel, supply, duplicating, and office housing services for the department, as well as consolidation in one place of certain items of operating expense common to all the divisions.

**ANALYSIS**

Expenditures proposed for the Division of Administration for fiscal year 1961-1962 amount to \$1,641,603, an increase of \$108,407 or 7 percent over estimated expenditures for the current year.

This division pays the rent bills for all premises occupied by the several divisions of the department. The \$1,025,932 estimated for rent in fiscal year 1961-1962 shows an increase of \$127,489, or 14.2 percent over estimated rent expenditures for the current year and represents 76 percent of the budgeted operating expense of this division and 8.4 percent of the entire budgeted expenditure of the department.

*We recommend approval as budgeted.*

**Division of Conciliation****GENERAL SUMMARY**

This division comprises the State Conciliation Service whose civil service supervisor reports to the department director. The division has the general objectives of promoting sound union-management relations and preventing work stoppages. The division normally acts in response to requests, although it may offer its services in certain situations. These services include conciliation, mediation, and arbitration. The division has the added responsibility, under several transit district acts, of determining collective bargaining units and holding employee representation elections.

## Department of Industrial Relations—Continued

## ANALYSIS

Expenditures proposed for the Division of Conciliation for fiscal year 1961-1962 amount to \$185,783, an increase of \$12,112 or 6.9 percent over estimated expenditures for the current year.

## Salaries and Wages

1 Conciliator (budget page 352, line 26) ----- \$9,384

The division proposes this position as an addition to the existing one-man conciliator staff in Fresno and justifies the proposal on the basis that case closures in this area are double the average conciliator workload elsewhere in the State.

We recommend deletion of the proposed position for a saving of \$9,384.

In the following table we show an eight month sample of the number of requests received by the Conciliation Service and of cases pending at the end of each month as set forth in division reports to the Governor's Council. We find no workload increase in this table and no problem that cannot be solved by the transfer of an existing position to the Fresno area.

Positions Month	Calendar Years					
	1958 8.3 (filled)		1959 8.8 (filled)		1960 10 (authorized)	
	Requests-Pending		Requests-Pending		Requests-Pending	
March -----	40	116	56	121	53	134
April -----	57	135	83	135	60	126
May -----	40	114	59	135	57	124
June -----	45	113	67	139	65	110
July -----	55	119	64	150	39	127
August -----	40	128	48	144	62	127
September -----	51	119	47	121	50	114
October -----	57	133	70	128	56	124

While the above sample represents only a part of each year this is in fact the portion of the year when the Conciliation Service is most active due to the number of contract negotiations. The remainder of the year shows a smaller number of requests per month.

## Division of Industrial Accidents

## GENERAL SUMMARY

The Industrial Accident Commission performs a claim adjusting function under the State's Workmen's Compensation laws with the objective of obtaining for injured workmen and their dependants, with the least possible delay, all benefits to which they are entitled by law. The seven member commission is appointed by the Governor who designates one member to serve as chairman and administrative officer.

## ANALYSIS

Expenditures proposed for the Division of Industrial Accidents for fiscal year 1961-62 amount to \$3,391,103, an increase of \$159,112 or 4.9 percent of estimated expenditures for the current year.

## Department of Industrial Relations—Continued

The division is requesting 18 new positions which make up four referee teams and supporting staff. Justification is based on a workload formula which has been used by the division for the last several years.

*We recommend approval of the positions as budgeted.*

The anticipated 7 percent increase in filings for the budget year, upon which the formula as it appears in the budget is based, appears to be conservative. Recent actual increases in the number of cases filed are in excess of this rate. Also the rate of disposition as set out in the budget is in excess of current actual experience. Thus, we believe that the budget presents an unduly optimistic picture of the probable workload situation of this agency in the current and budget years. We understand that the agency's application of this workload formula in such a way as to result in a more modest request than would result if it were based on more realistic statistical considerations reflects its desire to make every effort to assist the administration in the overall fiscal budgetary problem facing the State, and it is for this reason also, that we are recommending approval of the request as budgeted. However, unless there is a sharp reduction in the rate of increase in case filings or a substantial increase in the rate of disposition this agency will have a serious backlog problem developing during the budget year.

We have previously recommended that consideration be given to incorporating the cost of this division's operation into the premium structure of Workmen's Compensation Insurance (see page 390). The circumstances of the agency's current budget request illustrate a compelling reason for the implementation of our recommendation. If available support for this agency were geared to the amount of Workmen's Compensation Insurance in force, staff requirements could be met in direct relationship to the development of workload rather than being curtailed by competition for the limited resources of the General Fund.

## Division of Industrial Safety

## GENERAL SUMMARY

The primary function of this division is the reduction of work injuries in employment and in places of employment, secured through promulgation and enforcement of safety orders, compliance inspections, and safety education programs. The division chief is appointed by the Governor as is the four-member safety board. The department director serves as a fifth board member and chairman.

## ANALYSIS

Expenditures proposed for this division for fiscal year 1961-62 amount to \$2,157,045, an increase of \$61,548 or 2.9 percent of estimated expenditures for the current year.

1 Industrial hygiene engineering associate (budget page 354,  
line 77) ----- \$8,112

This proposed position is requested on the basis that there is need to increase the Los Angeles section of the division's occupational health

## Department of Industrial Relations—Continued

unit which is concerned with the reduction of hazards in radiation and industrial chemicals.

The unit currently consists of four positions, two health physicists and one industrial hygienist in San Francisco and one health physicist in Los Angeles. The three health physicists who are actually district engineers have recently been trained in the field of radiation problems.

*We recommend approval of the proposed position.*

While we recognize that there are safety problems in the field of industrial chemicals and particularly in the work with atomic energy and that it is desirable that the Los Angeles portion of the unit be brought in balance with that in San Francisco in this budget year, it is our view, that this unit should not be further increased in the future until the responsibilities of various agencies of state government in the field of atomic energy and radiation are further clarified and more sharply defined.

*3 Safety engineer—pressure vessel (budget page 354, line 79) \$22,068*

The division's request is based on workload criteria which have been followed for a number of years. These criteria are specifically related to available man-hours and the number of pressure vessels which the law requires to be inspected. One engineer is to be assigned to each of the areas centered on San Diego, Fresno, and San Jose.

*We recommend approval of the positions as budgeted.*

Projected workload figures appear to justify the proposed positions.

*1 Safety engineer—construction (budget page 354, line 80)--- \$7,356*

This proposed safety engineering position is requested by the division on the basis of the staffing formula which has been agreed upon by the division and this office covering the mining, industrial, construction, and electrical safety sections. The formula produces a "work unit" which is the quotient of the number of employees plus 10 times the number of places of employment divided by the existing total engineering staff in the covered sections. When this work unit exceeds the agreed figure of 110 per safety engineer, added positions are requested.

*We recommend approval of the position as budgeted.*

In its position justification the division notes that the formula applied to current figures actually would call for three added positions instead of the one requested.

*3 Intermediate typist-clerk (budget page 354, line 81)----- \$11,700*

The division relates its clerical position requests to a ratio of one clerical position to three technical positions. The division authorized position count is now 178 technical and 58 clerical.

*We recommend approval of the clerical positions as requested.*

The addition of the five proposed technical positions would indicate the need of three clerical positions to bring the ratio in balance.

## Department of Industrial Relations—Continued

## Division of Industrial Welfare

## GENERAL SUMMARY

The division of Industrial Welfare is responsible for the enforcement of state laws dealing with wages, hours, and working conditions of women and minor workers and the enforcement of orders issued after hearings by the Industrial Welfare Commission. This five-member commission and the division chief are appointed by the Governor.

## ANALYSIS

Expenditures proposed for this division for fiscal year 1961-62 amount to \$584,759, a decrease of \$3,195 or 0.5 percent of estimated expenditures for the current year.

Early in the current year the division initiated an improved method of accumulating statistical data upon which it is planned to predicate a workload formula for the addition of industrial welfare agents as need may be indicated in the future. Work on this formula has not been completed and our recommendations are of necessity restricted to such projected data as has been made available to us for the budget year.

2 Industrial welfare agent (budget page 355, line 56)----- \$14,016

The division justifies this request on the basis of six months' experience with the data collection program projected to a full-year pattern. It is proposed to place these agents, one in each of two branch offices to be established in Santa Rosa and El Centro. The Santa Rosa area planned to include Lake, Sonoma, and Mendocino counties is now served out of San Francisco and Eureka and the El Centro area out of San Diego. The two offices are proposed to cover in part the farm problems which are anticipated to rise out of the new agricultural employee work order now in preparation.

*We recommend approval of these positions as budgeted.*

The division's tentatively projected figures indicate that the currently proposed new positions are justified even though the potential workload under the agricultural order is not included in the calculations.

1 Senior stenographer-clerk (budget page 355, line 57)----- \$4,512

2 Intermediate stenographer-clerk (budget page 355, line 58) 8,184

The senior stenographer-clerk position is proposed to provide clerical service for the two area supervisors and the special information office located in the Los Angeles office. The division states that these positions are now without stenographic help.

The two intermediate stenographer-clerk positions are designed to provide clerical service for the two proposed new branch offices in Santa Rosa and El Centro. Two positions violate the division's rule of requesting one clerical position for each two welfare agent positions requested. The division states that it is difficult to provide only half-time help for a one-agent office.

*We recommend deletion of these positions for a savings of \$12,696.*

We note in the division's authorized position count that it already has a ratio of one clerk to one and one-quarter agent positions which is

## Department of Industrial Relations—Continued

a rich clerical ratio for the field type of activity in which this division is engaged. In the Los Angeles office the ratio of clerical to technical positions is one to two. As we have indicated in our proposal for some consolidation of clerical positions in this department the field clerical problem of this division can better be solved by joint use of clerical staff in branch offices. Addition of the requested clerical positions would provide an increased level of service.

## Division of Labor Law Enforcement

## GENERAL SUMMARY

Under the direction of the State Labor Commissioner, appointed by the Governor and serving as division chief, this division is responsible for the enforcement of all labor laws, not specifically delegated to other agencies, for the purpose of protecting the rights of employees. Permits are issued for the employment of minors and licenses are issued for private employment agencies and farm labor contractors.

## ANALYSIS

Expenditures proposed for this division for fiscal year 1961-1962 amount to \$1,189,758, an increase of \$85,372 or 7.7 percent over expenditures for the current year.

3 Deputy labor commissioner (budget page 356, line 47)----- \$22,068

The division requests these positions on the basis of workload increases.

*We recommend approval of the positions as budgeted.*

We have reviewed the workload figures as presented by the division and these indicate need for the positions to handle the eight percent anticipated increase in cases on the basis of the 986 deputy caseload carried during the last completed year.

2 Special investigator (budget page 356, line 48)----- \$11,544

The positions are requested on the basis of increased workload.

*We recommend deletion of these positions for a saving of \$11,544.*

We recommended approval of the granting of one position of special investigator in the division's budget for the current year. The ratio of special investigator to deputy labor commissioner has varied from one to 4.7 in 1957-1958 to one to 5.1 in 1959-1960. Currently the ratio is one to 4.9. The addition of three deputy commissioners will increase this ratio only to 5.1 retaining the currently authorized number of investigators and the same level of service provided in 1959-1960.

4.5 Intermediate stenographer-clerk (budget page 356, line 49) \$18,822

*We recommend approval* since these positions are related to the number of technical positions added and represent a workload increase.

## Division of Apprenticeship Standards

## GENERAL SUMMARY

Promotion and development of joint management and labor voluntary apprenticeship training programs is the objective of this division.

**Department of Industrial Relations—Continued**

The division co-ordinates and supervises the work of local joint apprenticeship committees organized under state law and co-operates with the federal government in similar activities. Within the division is the 14 member apprenticeship council appointed by the Governor and representing employers, employees and the public. The departmental director, as apprenticeship administrator, and a representative of the State Department of Education are ex-officio council members. The division chief is appointed by the Governor.

**ANALYSIS**

Expenditures proposed for this division for fiscal year 1961-1962 amount to \$1,012,381, an increase of \$8,910 or 0.9 percent over estimated expenditures for the current year.

We note the continued decline of the veterans' apprenticeship program as a source of reimbursement for expenditures by this division with estimates for the budget year of only \$2,329, not quite one-third as much as the estimated reimbursement for the current year.

*We recommend approval as budgeted.*

**Division of Housing****GENERAL SUMMARY**

Administration and enforcement of laws relating to design, construction and operation of hotels, apartment houses, motels, resorts, labor camps, and trailer parks are the primary responsibilities of this division. These laws are essentially public health and safety measures and in certain instances the division steps aside when local agencies adopt ordinances as permitted under these statutes. The division chief and the five member commission on housing are appointed by the Governor.

**ANALYSIS**

Expenditures proposed for this division for fiscal year 1961-1962 amount to \$417,230, a decrease of \$72 or 0.02 percent of estimated expenditures for the current year.

*We recommend approval as budgeted.*

**Trailer Coach Inspection Program**

We call attention to the fact that excluding salary savings and reimbursements the estimated budget year cost of operating this division is \$648,712. The division estimates that it will receive reimbursements from the fee supported trailer coach inspection program established in 1958 in the amount of \$191,482 which is approximately 30 percent of the total cost above noted. We are able to identify 14 positions assigned specifically to this program out of an authorized division total of 73 positions or 19 percent.

At no place in the submitted budget however, are the costs chargeable to the trailer coach inspection segregated so that the Legislature may review them in comparison with estimated reimbursements and with the costs of other programs and activities of the division.

## Department of Industrial Relations—Continued

The division's budget request for \$22,240 for printing, for example, is an increase over estimated expenditures for the current year of \$7,081 or 47 percent. Such a percentage increase is out of trend with the past printing expenditure record of the division. We are not able in this instance to identify how much of the increase is attributable to printing costs of the trailer coach inspection program as compared with such costs for the annual Governor's Housing Conference or increased prices of printed materials sought for the other on-going programs of the division.

*We recommend, therefore, that in future budget requests the division separately identify and account for specific items of salary and wages, operating expense and equipment which are chargeable to the fee supported trailer coach inspection activity.*

## Division of Labor Statistics and Research

## GENERAL SUMMARY

The Division of Labor Statistics and Research has the dual responsibility of collecting, compiling, and publishing labor statistics for the State and of performing statistical functions for the department and its divisions. In discharging these responsibilities the division cooperates with the federal government and other state agencies. The division chief has civil service status.

## ANALYSIS

Expenditures proposed for this division for fiscal year 1961-1962 amount to \$524,629, a decrease of \$6,850 or 1.3 percent of estimated expenditures for the current year.

*We recommend approval as budgeted.*

## Division of Fair Employment Practices

## GENERAL SUMMARY

Protection of the right and opportunity of all persons to seek, obtain, and hold employment without discrimination on account of race, religious creed, color, national origin or ancestry is the objective of this division. This objective is to be accomplished through conciliation and enforcement. The division chief and the five-member Fair Employment Practices Commission are appointed by the Governor. The commission is empowered to appoint advisory agencies and conciliation councils.

## ANALYSIS

Expenditures proposed for this division for fiscal year 1961-1962 total \$321,217, an increase of \$81,637 or 34.1 percent over estimated expenditures for the current year.

As of September 18, 1960 this division had been in existence for one year. During this initial year some time was spent in organizing, including the adoption of rules by the commission and in securing position classifications and civil service lists of persons qualified for position appointments. While awaiting such lists some positions were filled on a temporary basis. During the 1959-1960 fiscal year 10 positions were

## Department of Industrial Relations—Continued

filled. For the current year 27 positions were authorized by the Legislature. The staff is divided between the offices opened in San Francisco and Los Angeles.

7 Consultant (budget page 359, line 13)----- \$51,492

In this division the field investigative staff position is now titled consultant. In the organization period it was designated as field representative. As each case is filed with the division it is first assigned by the commission chairman to a commissioner. The same case is also assigned by an area supervisor to a consultant who makes an investigation and reports his findings to the designated commissioner.

At least one of the proposed new consultant positions is to be placed in each of two new branch offices proposed to be established in Fresno and San Diego together with some of the proposed additions to clerical staff.

The division reports only a scattering of complaints from the Fresno and San Diego areas. Justification for the new offices is that they will serve primarily as information, public relations, and service centers to promote understanding of the law and assist potential complainants unable to travel to one of the two existing offices.

*We recommend deletion of the seven consultant positions for a reduction of \$51,492.*

By reason of the provisions of the law and in the absence of any objective criteria of discrimination the division works primarily on complaints brought to it and on complaints instituted by the commission itself. The division's workload is therefore largely predicated on public knowledge that the State is now prepared to remedy discrimination in employment when found. It may reasonably be presumed that public knowledge of the Fair Employment Act and its provisions became quite general during the initial period of the division's operation due to the widespread publicity which attended enactment of the law.

The division reports that by the end of September 1960 a total of 436 cases alleging discrimination in employment had been filed. Eighteen of these cases were instituted by the commission itself. Two hundred twenty cases or 50.4 percent of those filed were closed with only a small part of the currently authorized staff actually on the job. In these closed cases evidence of discrimination was found insufficient in 126 or 28.8 percent of the total cases filed. Lack of jurisdiction or failure of the complainant to proceed occurred in 31 or 7.1 percent of the total cases filed. Discrimination was found and remedied in 63 or 14.4 percent of the total cases filed. The backlog of 216 cases pending at the year's end is not large.

The New York Commission Against Discrimination, in its first 15 years of existence received approximately 6,500 employment complaints. This is an annual average of 433.3. The 436 first-year filings in California compare closely with the annual New York figure.

Department of Industrial Relations—Continued

Lack of a complete, experienced staff has so far prevented accumulation of adequate data on which to base consultant workload staffing criteria.

On the basis of the total first-year filings, however, the theoretical work-year caseload was 48.4 cases for each of the nine authorized positions. This number represents as an average approximately one case for one consultant for each working week. We know of no complaints that the division's smaller-than-authorized first-year temporary staff did an inadequate or unsatisfactory job with the current caseload level. With a full complement of trained and experienced personnel next year's production should be higher.

In two other divisions of the department which work in part on the basis of complaints and cases, the minimum annual caseload for each investigating agent is substantially higher than the above noted current rate in the Division of Fair Employment Practices. A deputy labor commissioner, for example, is expected to handle more than 700 cases a year while a welfare agent is currently accounting for 120 cases plus 96 other items per year.

- 2 Intermediate typist-clerk (budget page 359, line 14)----- \$7,992
- 2 Intermediate stenographer-clerk (budget page 359, line 15) 8,388

Since these four clerical positions are related to and primarily designed to serve the seven positions we have recommended for deletion, we also recommend their deletion for a reduction in total of \$16,380.

**STATE FIRE MARSHAL**

ITEMS 134 and 135 of the Budget Bill

Budget page 360

**FOR SUPPORT OF STATE FIRE MARSHAL  
FROM THE GENERAL AND DRY CLEANERS' FUND**

Amount requested -----	\$584,079
Contribution to State Employees' Retirement System -----	34,958
<b>Total -----</b>	<b>\$619,037</b>
Estimated to be expended in 1960-61 fiscal year -----	612,598
<b>Increase (1.1 percent) -----</b>	<b>\$6,439</b>
<b>TOTAL RECOMMENDED REDUCTION -----</b>	<b>None</b>

**GENERAL SUMMARY**

The State Fire Marshal with the advice of the State Fire Advisory Board promulgates and enforces fire safety regulations in areas that are not formally organized into fire districts. However, when a formally organized fire district requests the assistance of the Fire Marshal, he may at his discretion come to its assistance. The Fire Marshal is also required by law to inspect all state institutions with the exception of certain educational facilities to determine if they comply with minimum fire safety standards. In addition to the above functions, the Fire Marshal also enforces the Inflammable Materials Act, fireworks regulations, regulations for the transportation of explosives and for the transportation of radioactive materials (new 1959), inspecting and

## State Fire Marshal—Continued

licensing dry cleaning plants, inspecting construction drawings of all new public schools and hospitals, inspecting and certifying fire alarm systems, and other miscellaneous duties.

The method of calculating workload demands for this agency has evolved over a period of years through a close working relationship with the Fire Marshal's Office, the Department of Finance and our office. A system has been developed whereby each employee reports units of work performed in each category for which the Fire Marshal has responsibility. These forms give an accurate history on which to base future work demand projections so that future manpower needs can be forecast quite accurately. While the workload projection for the 1961-62 fiscal year would indicate one additional man could be used, the Fire Marshal will attempt to increase the overall efficiency of his operation to the extent that the additional workload demand will be absorbed by the existing manpower without reduction in the level of service rendered.

## ANALYSIS

The \$619,037 requested by the Fire Marshal for the 1961-62 fiscal year is \$6,439 or 1 percent greater than the \$612,598 estimated for expenditure during the current year. It will be noted that salaries and wages are estimated to be \$13,436 greater, while operating expenses increase \$468, with equipment being reduced by \$3,697 which partially offsets the increases. The increase in salaries and wages is brought about by normal merit salary adjustments and higher operating expenses by greater costs of building rent. We have examined the budget detail and feel that the expenditures proposed are justifiable.

We point out that the expenditures proposed for the Fire Marshal's Office are financed by \$520,751 from the General Fund and \$98,286 from the Dry Cleaners' Fund. These figures include their pro rata share of retirement contributions. The appropriation from the Dry Cleaners' Fund pays the cost of the Fire Marshal's Office in inspecting dry cleaning plants. In addition the General Fund is reimbursed from the Division of Architecture Public Building Fund by \$46,694 for the Fire Marshal's work in inspecting and reviewing public school plans that pass through the division's school plans checking section. Additionally, the General Fund is reimbursed \$25,000 as revenue collected by the Fire Marshal in listing and approving building materials.

*We recommend approval of this item as budgeted.*

## DEPARTMENT OF JUSTICE

ITEM 136 of the Budget Bill

Budget page 362

FOR SUPPORT OF DEPARTMENT OF JUSTICE  
FROM THE GENERAL FUND

Amount requested	\$7,403,314
Contribution to State Employees' Retirement System	413,080
<b>Total</b>	<b>\$7,816,394</b>
Estimated to be expended in 1960-61 fiscal year	\$7,323,552
Increase (6.7 percent)	\$492,842
<b>TOTAL RECOMMENDED REDUCTION</b>	<b>\$86,932</b>