

**Report on the Response of the
Department of Labor and Industry
to the Impact of the Aging of Virginia's Population**

November 15, 2014

Pursuant to Code of Virginia §§ 2.2-5510 and 51.5-136, the Department of Labor and Industry submits this report of its progress in addressing the impact of the aging of Virginia's population.

C. Ray Davenport
Commissioner

11/19/14
Date

Agency contact responsible for review of policy and programs, and accommodating the interests of older adults and adults with disabilities under the Code of Virginia § 2.2-604.1.

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Executive Summary

The Department of Labor and Industry (DOLI) administers Virginia's laws and regulations that govern Boiler and Pressure Vessel Safety, Labor and Employment Law, Occupational Safety and Health, and Registered Apprenticeship. Generally, DOLI does not record or track the ages of those who participate in agency programs or use agency services with the exception of workplace injuries, fatalities or catastrophes. None of DOLI's programs serve primarily older Virginians and there are no federal or state funding streams provided to the agency to support services specifically for older persons. As most of DOLI's mandates cover all of the citizens of Virginia, DOLI has not undertaken specific actions to respond to the current and future impact of an external aging population given its present and anticipated future impact on agency programs.

A small increase in the demand for some of our services among older Virginians is anticipated by the Department as Virginia's workforce, along with the overall U. S. population, ages. DOLI's mandates require that the agency provide services to all eligible Virginians, with no specific emphasis on older Virginians. The Agency has no procedures currently in place or explicit plans to implement future services or programs that specifically address the impact of the Virginia's aging workforce, i.e., external customers, in respect to DOLI's mandated programs.

The Department has seen an increase in the ages of its own workforce consistent with what can be found throughout state government employment. As these older employees retire, the agency will lose historical knowledge and expertise, making succession planning a challenging, yet imperative endeavor. The Department will explore making adaptations to services based on the changing ages of employees where and when such accommodations are seen to be a positive enhancement or are otherwise necessary.

Agency Description

The Department of Labor and Industry (DOLI) is an Executive Branch agency which administers Virginia's laws and regulations set out at Title 40.1 of the *Code of Virginia* that governs the following areas: Boiler and Pressure Vessel Safety, Labor and Employment Law, Occupational Safety and Health, and Registered Apprenticeship via the following programs:

- Boiler and Pressure Vessel Safety – This program certifies boilers and pressure vessels that have received regular inspections and necessary repairs, and that are located in workplaces, apartments, and establishments that are open to the public.
- Labor and Employment Law - This program administers and enforces state labor laws that govern payment of wages, minimum wage, child labor, equal pay, the right to work, and certain other statutory and regulatory employment protections.
- Registered Apprenticeship – This program has responsibilities that include: registering apprenticeship training programs that meet federal and state standards, protecting the safety and welfare of apprentices, and issuing Certificates of Completion to registered apprentices who have completed the requirements of their registered apprenticeships.

- Virginia Occupational Safety and Health (VOSH) –The VOSH Program administers occupational safety and health laws and regulations in both public and private sector workplaces in Virginia, with certain exceptions which include private sector maritime, federal employees, federal military facilities, and other federal enclaves which are under the jurisdiction of the federal government. (See 29 CFR 1952.375 and the *Code of Virginia*, § 40.1-2.1.) In addition, all active certified asbestos contractors and licensed lead contractors are required to provide written notification and any applicable fees to the Department regarding any abatement activity covered by their specific regulations. In cooperation with the U.S. Department of Labor (USDOL), Bureau of Labor Statistics (BLS), DOLI annually completes the annual Census of Fatal Occupational Injuries (CFOI), which provides a detailed report on all workplace fatalities and the Survey of Occupational Injuries and Illnesses, which produces estimated injury and illness rates by industry. VOSH also offers free consultative, outreach, and training services to assist employers to enhance safety and health protections for their employees.

Information Requested

1. If your agency has undertaken any actions to respond to the current and future impact of an aging population, such as needs assessments, strategic planning, or use of best practices, please briefly describe those actions. Please indicate what assistance from DARS could help your agency as it prepares to serve an aging Virginia population.

Response: The Department, acting within its statutory mandates, has confined its actions regarding impacts of an aging population to activities dealing with its own employees. As more and more of DOLI's most qualified workers retire or are nearing retirement, there is cause for serious concern because their departure results in a loss of significant institutional knowledge and expertise, leaving vacancies to be filled by younger, less experienced workers, who require training and/or other certifications. The Department is hopeful that the opportunity for informal mentor relationships by older and more experienced employees with new younger hires, where possible, will add an additional and hopefully fulfilling dimension to the twilight portion of our valued employee's careers and help aid in succession planning for the Department.

2. Briefly describe your agency's services that are used primarily by older Virginians and the funding streams (types and amounts) that support those services. If these particular services or funding streams are provided in conjunction with other state or local agencies or other for profit or non-profit organizations, please list them.

Response: None of DOLI's programs are used primarily by older Virginians and there are no federal or state funding streams provided to the Department to support services specifically for older persons. There are no other state or local agencies or other organizations with whom the Department works with for this purpose.

3. Identify current agency programs specifically designed to serve older Virginians that fall into any of the following eight categories:
- Health Care/Wellness
 - Education
 - Public Safety (including Adult Abuse Prevention)
 - Recreation
 - Housing
 - Accessibility (including Livable Communities <http://www.vadrs.org/vblc/>)
 - Financial Security
 - Transportation

Response: As stated previously, none of DOLI's programs are primarily used by older Virginians and the Department has no mandated responsibilities in the eight categories which have been specified nor does it specifically address them.

4. Is your agency able to meet all of the service demands of older Virginians for the services listed above? If there are any instances where the demand for services exceeds your agency's ability to meet the demand, please indicate the service and the extent of the unmet demand. Also, if your agency maintains waiting lists for services, please provide this information, including the waiting list numbers for each service.

Response: Not applicable. As stated previously, none of DOLI's programs are used primarily by older Virginians and consequently there is no unmet demand for services or need to maintain a waiting list for services.

5. Provide the number of persons, by gender if available, who received services from the agency in each of the past five state fiscal years (FY 2010 through FY2014) who fell into the following age ranges: 60-64; 65-74; 75-84; and 85 and older. If your agency lacks specific information about the numbers of older Virginians it serves but has other evidence indicating that it is serving more or fewer older Virginians than it has in the past, please describe the basis for that estimation.

Response: As stated previously, none of DOLI's programs are used primarily by older Virginians. None of the Department's programs requires recording the age of any of the customers we serve with the exception of workplace injuries, fatalities or catastrophe reporting.

6. Referring to the services or funding you described in item two, describe any services or funding provided to older Virginians for which the accessibility or availability varies considerably in different parts of the Commonwealth.

Response: There are none. As indicated in our response to item two, DOLI has no services in the eight listed service areas.

7. Over the next five to 10 years, in what ways do you anticipate that an aging population will impact your agency's services, funding streams, or policies? Consider the impact from an increase in the number of older Virginians and whether the needs of older Virginians will differ from those of today's older adults. Please include any anticipated impacts upon the cost of services, changes in type of services or the manner of service delivery, or modifications to agency policies, staffing needs, or procedures.

Response: It is anticipated that the aging population, in and of itself, will not have an impact on Department services, funding streams or policies as they relate to external customers. The only area where there may be some impact is in regard to the employer portion of health care costs for Department personnel generally resulting from greater usage of such services by older employees.

8. Please describe the primary steps that should be taken at the federal, state, or local levels to meet the future demands of older Virginians and to make services delivery more effective and efficient.

Response: As the Department has no mandate, program, or other direct expertise in the service delivery to this specified group, it has no specific plans in place regarding the need to address future demands of older Virginians.

9. Identify the extent to which your agency provides "customer-oriented" publications and websites that are designed to be "senior-friendly." If the information you currently provide is not readily accessible to older Virginians, please identify any steps your agency is taking to improve their access to this information.

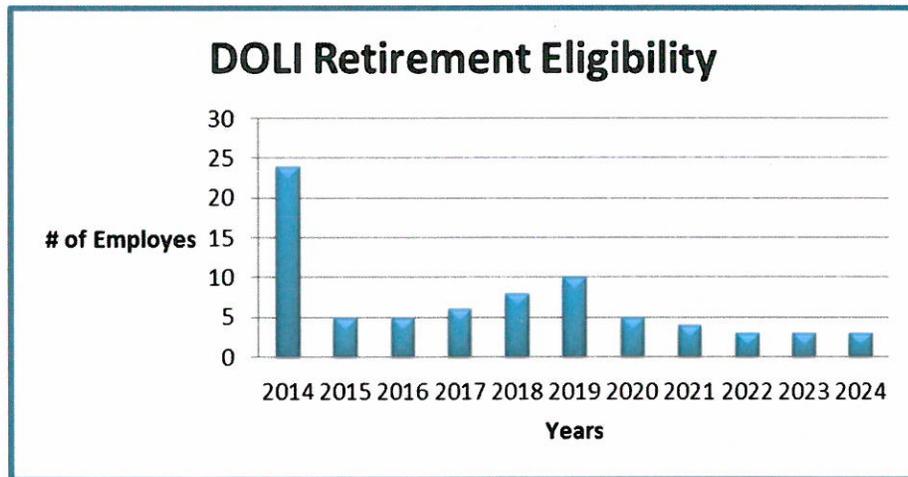
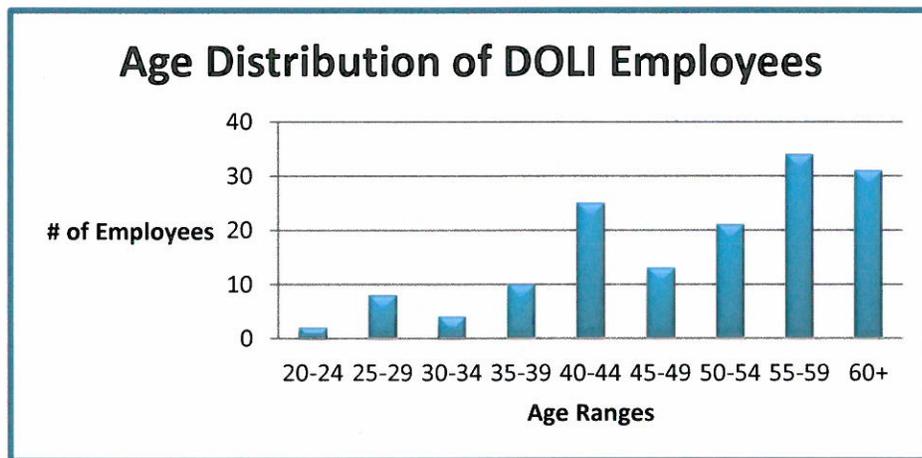
Response: The Department has taken steps to insure that all of its information and publications are available on the Department's website which has been designed to be "customer-oriented" and "user-friendly" for people of all ages. In addition, the Department has worked diligently to maintain the ability of the public to access it by phone, mail, or by "walk-in" for assistance.

10. Describe any other services or programs that your agency plans to implement in the future to address the impact of the aging of Virginia's population.

Response: There are no such other services or programs planned for future implementation by the Department to specifically address the aging of Virginia's population at this time.

11. Is your agency experiencing an increase in employees retiring later and describe any actions your agency is taking or plans to take to accommodate its aging workforce with innovative practices.

Response: Yes, the Department is experiencing an increase in the number of employees retiring later. As previously discussed in item one above, as a large percentage of the Department's most qualified workers retire or are nearing retirement (*see graph on page eight*), there is cause for serious concern because their departure results in a loss of significant institutional knowledge and expertise, leaving vacancies to be filled by younger, less experienced workers, who require training and/or other certifications. The Department is hopeful that the opportunity for informal mentor relationships by older and more experienced employees with new younger hires, where possible, will add a positive additional experience for that portion of our valued older employee's careers and help aid in molding their successors and in the succession planning for the Department.



As indicated by the above charts, the majority of DOLI's staff is in the 50 to 65 years-of-age range, which is consistent with statistical evidence that Baby Boomers comprise the largest share of the U.S. labor market generally.