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State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER OF
SAFETY

January 5, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Requested Action

Pursuant to the provisions of Administrative Rule 316.13 (a) (5), the Department of Safety (DOS), Division of State Police, requests authorization to pay overtime in the amount of $228,000.00 for permanent personnel via a transfer from class 10 appropriations for positions that are vacant due to illness, extended leaves of absence, or pending recruitment at Enforcement. The $228,000.00 represents the estimate of additional funds needed for the remainder of SFY 2021. Effective upon Governor and Council approval through June 30, 2021. Funding Source: 81% General Funds and 19% Highway Funds

Explanation

The Department of Safety, Division of State Police, Enforcement, requests an overtime transfer for actual expenditures not to exceed $228,000.00. The requested overtime expenditures from Class 10, Personnel Services accounts, represent payments made to permanent personnel for overtime hours worked while conducting patrols, covering calls for service, covering accidents, and investigating criminal activity during critical vacancies due to sickness, extended leaves of absence, or pending recruitments. The average recruitment-to-hire time is approximately three to four months, not including training prior to assuming any full time shifts. In the Division of State Police, Enforcement's total vacancies were ten (10) positions at any given time during SFY 2021. In SFY 2021, the Division has had at least eleven (11) Division members out on military leave at different times, as well as eight (8) Division members on FMLA leave due to injury or illness and two (2) Division members on Workers Compensation leave due to injuries.

The Department of Safety, Division of State Police, Enforcement, spent $342,161.55 in SFY 2019 and $377,632.46 in SFY 2020 in overtime expenses. In SFY 2021, to date, the Division has spent $288,165.62. The above requested action is to cover the expenses incurred for SFY 2021 based on increased vacancies, extended leave, and an increased demand for services due to the State's COVID-19 response, civil unrest, and election support. Additional transfers may be necessary based on future demand for services.

The original SFY 2019 budget was $330,000.00 and the SFY 2020 budget was $390,000.00. In SFY 2019 the Department increased that amount to $470,000.00, and in SFY 2020 that amount was increased to $584,775.00. The original SFY 2021 budget is $390,000.00, but the Division was not expecting such a decrease in personnel due to illness, leave of absences, military leave, and position vacancies.

This request is made in accordance with applicable law. The A-29 form is attached to support this request.

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

Form A-29

Expenditure Request-Overtime Permanent Personnel Services

Department: Safety

Date: December 30, 2020

Division of Expenditure Request:
Enforcement

	Estimated Overtime	
# Positions	Regular Time	Time & One-Half
10	$ 228,764	$ -

	Number
Estimated Vacant Positions:	10

Title & Labor Grade		Number		Legislative Appropriation
Executive Secretary	LG 11	1		$ 16,820.00
State Police Sergeant	LG 25	1		$ 38,352.00
State Police Trooper	LG 19	8		$ 173,592.00
			Total:	$ 228,764.00

Reasons for Vacant Positions: Pending Recruitment and Leaves of Absence

Request Permission to transfer appropriations as follows:

From:	To:	Amount
02-23-23-234015-40100000-010-500100	02-23-23-234015-40100000-018-500106	$ 228,000.00

Certification:
Expenditure of Permanent Personnel Service appropriations will be limited solely to positions vacant due to sick leave, extended leave of absence or pending recruitment. If this request is approved, total expenditures will not exceed the legislative appropriation.

Signature of Agency Head

Expenditure Authorization

Approval Requires:

Governor and Council

Business Supervisor Melanie Carraher 1/5/2021

for the Director of Personnel Michael Morante 1/5/2021

Comptroller Dana Call 1/5/2021

State of NH, DOS

Eligible Salary

Estimated Unexpended Wages for Enforcement Positions
vacant during the period June 5, 2020 through December 31, 2020
DOS

POS #	TITLE	APPRO	LG	First Day Vacant	Last Day Vacant	# DAYS	Annual Rate	Daily Rate	Unexpended Salary	REASON VACANT
10709	Executive Secretary	4010	11	06/05/20	12/31/20	210	29,153	112.13	16,820	Pending Recruitment
10677	State Police Sergeant	4010	25	06/05/20	12/31/20	210	66,477	255.68	38,352	Pending Recruitment
10791	State Police Trooper	4010	19	06/05/20	07/31/20	57	51,750	199.04	8,104	Pending Recruitment
10825	State Police Trooper	4010	19	06/05/20	12/31/20	210	51,750	199.04	29,856	Pending Recruitment
10844	State Police Trooper	4010	19	06/05/20	12/31/20	210	51,750	199.04	29,856	Pending Recruitment
18648	State Police Trooper	4010	19	06/05/20	07/31/20	57	51,750	199.04	8,104	Pending Recruitment
18692	State Police Trooper	4010	19	06/05/20	12/31/20	210	51,750	199.04	29,856	Pending Recruitment
40695	State Police Trooper	4010	19	06/05/20	07/31/20	57	51,750	199.04	8,104	Pending Recruitment
10533	State Police Trooper	4010	19	06/05/20	12/31/20	210	51,750	199.04	29,856	Pending Recruitment
18691	State Police Trooper	4010	19	06/05/20	12/31/20	210	51,750	199.04	29,856	Pending Recruitment
		Unexpended Salary Balance							228,764	
		(less) Overtime Transfer							(228,000)	
		4010 Total							764	
		Grand Total							764	

Adm 316.11 Check the Monthly Computer Statements. Upon receipt of all regular computer monthly statements, please immediately check these statements with your records, and notify the bureau of accounting of any differences on the "Green Sheet" or Form A-2 "Report of Appropriation Over Expenditure".

Source. #2235, eff 12-30-82

Adm 316.12 Workmen's Compensation. Authority for the commissioner to pay such sums as may be awarded under chapter 281 to employees from legislative appropriations and if sufficient funds are not appropriated the governor may draw his warrant on funds not otherwise appropriated provided that payments made to employees paid from the highway fund, the fish and game fund, or special fund shall be a charge against the appropriate fund and that payment made to employees from other funds shall be a charge upon the general fund.

Adm 316.13 Policy Governing Vacant Permanent Positions.

(a) Charges to Permanent Personnel Services or use of the Salary Adjustment Fund to cover vacant positions shall be subject to the following rules and regulations:

(1) Limited to vacant positions due to sick leave, extended leave of absence, or pending recruitment.

(2) Limited to temporary employees only.

(3) Recruitment shall be made by a temporary C&D form approved by the department of personnel at a rate of compensation to be determined by personnel.

(4) Manifest for payment shall be substantiated by an attached identification by position number of the vacant positions so covered.

(5) Payment of overtime to cover vacant positions due to sick leave, extended leave of absence, or pending recruitment shall be subject to prior approval by the governor and council. Form A-29. (See Appendix A)

PART Adm 317 PREPARATION AND SUBMISSION OF ANNUAL REPORTS

Adm 317.01 General Requirements. The purpose of this section is to provide the governor and council with agency annual reports.

1. All agencies, as listed below, shall submit their annual reports on the dates and times indicated thereon (white paper, size 8 1/2 x 11, if not commercially printed).
2. Reports shall cover periods ending on June 30 and biennial reports shall cover periods ending in odd numbered years.