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MLC

State of New Hampshire

DEPARTMENT OF SAFETY
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RICHARD C. BAILEY, JR.
 ASSISTANT COMMISSIONER

EDDIE EDWARDS
 ASSISTANT COMMISSIONER

ROBERT L. QUINN
 COMMISSIONER

February 23, 2022

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, Division of State Police, requests authorization to pay overtime in the amount of \$350,000.00 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 \$350,000.00 represents the estimate of additional funds needed for the remainder of SFY 2022. Effective upon Governor and Council approval through June 30, 2022. Funding Source: 82% General Funds and 18% Highway Funds

EXPLANATION

The Department of Safety, Division of State Police, Enforcement, requests an overtime transfer for actual expenditures not to exceed \$350,000.00. 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 has been roughly 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 21 positions at any given time during SFY 2022. In SFY 2022, the Division has had at least thirteen (13) Division members out on Military leave at different times, as well as six (6) Division members on FMLA leave due to injury or illness and one (1) Division member on Workers Compensation leave due to an injury.

The Department of Safety, Division of State Police, Enforcement, spent \$377,632.46 in SFY 2020 and \$499,306.64 in SFY 2021 in overtime expenses. In SFY 2022, to date, the Division has spent \$407,242.88.

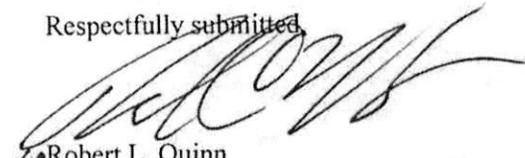
The original SFY 2020 budget was \$390,000 and the SFY 2021 was \$390,000; in SFY 2020 the Department increased that amount to \$584,775.00, and in SFY 2021 the Department increased that amount to \$616,500.00. The original SFY 2022 budget is \$375,000.00, but was not expecting such a decrease in personnel due to illness, leave of absences, military leave, and position vacancies.

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The above requested action is to cover the expenses incurred for SFY 2022 and any additional expenditure for the remainder of SFY 2022 based on the increase in cases and vacancies due to extended leave, illness, and pending recruitment.

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

Expenditure Request-Overtime Permanent Personnel Services

Department: Safety

Date: February 10, 2022

Division of Expenditure Request:
Enforcement

| Estimated Overtime | | |
|--------------------|--------------|-----------------|
| # Positions | Regular Time | Time & One-Half |
| 21 | \$ 357,838 | \$ - |

Estimated Vacant Positions: Number
21

| <u>Title & Labor Grade</u> | <u>Number</u> | <u>Legislative Appropriation</u> |
|--------------------------------|---------------|----------------------------------|
| Executive Secretary | LG 11 1 | \$ 9,770.00 |
| State Police Lieutenant | LG 28 1 | \$ 47,091.00 |
| State Police Sergeant | LG 25 2 | \$ 31,785.00 |
| State Police Trooper | LG 20 17 | \$ 269,192.00 |
| Total: | | \$ 357,838.00 |

Reasons for Vacant Positions: Pending Recruitment and Leaves of Absence

Request Permission to transfer appropriations as follows:

| <u>From:</u> | <u>To:</u> | <u>Amount</u> |
|-------------------------------------|-------------------------------------|---------------|
| 02-23-23-234015-40100000-010-500100 | 02-23-23-234015-40100000-018-500106 | \$ 350,000.00 |

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
 Director of Personnel Lorrie Rudis
 Comptroller Dana Call

**Estimated Unexpended Wages for Enforcement Positions
vacant during the period June 4, 2021 through January 13, 2022
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 | 06/04/21 | 09/24/21 | 113 | 31,470 | 121.04 | 9,770 | Pending Recruitment |
| 43191 | State Police Lieutenant | 4010 | 28 | 06/04/21 | 01/13/22 | 224 | 76,523 | 294.32 | 47,091 | Pending Recruitment |
| 10906 | State Police Sergeant | 4010 | 25 | 06/17/21 | 10/08/21 | 114 | 67,267 | 258.72 | 21,067 | Pending Recruitment |
| 10778 | State Police Sergeant | 4010 | 25 | 07/15/21 | 09/10/21 | 58 | 67,267 | 258.72 | 10,718 | Pending Recruitment |
| 10796 | State Police Trooper | 4010 | 20 | 06/04/21 | 07/30/21 | 57 | 54,558 | 209.84 | 8,543 | Pending Recruitment |
| 10813 | State Police Trooper | 4010 | 20 | 07/09/21 | 12/03/21 | 148 | 54,558 | 209.84 | 22,183 | Pending Recruitment |
| 10825 | State Police Trooper | 4010 | 20 | 06/04/21 | 07/30/21 | 57 | 54,558 | 209.84 | 8,543 | Pending Recruitment |
| 10878 | State Police Trooper | 4010 | 20 | 06/04/21 | 12/03/21 | 183 | 54,558 | 209.84 | 27,429 | Pending Recruitment |
| 16726 | State Police Trooper | 4010 | 20 | 06/04/21 | 12/03/21 | 183 | 54,558 | 209.84 | 27,429 | Pending Recruitment |
| 40694 | State Police Trooper | 4010 | 20 | 06/04/21 | 07/30/21 | 57 | 54,558 | 209.84 | 8,543 | Pending Recruitment |
| 40695 | State Police Trooper | 4010 | 20 | 07/21/21 | 01/13/22 | 177 | 54,558 | 209.84 | 26,530 | Pending Recruitment |
| 18445 | State Police Trooper | 4010 | 20 | 08/12/21 | 01/13/22 | 155 | 54,558 | 209.84 | 23,232 | Pending Recruitment |
| 10694 | State Police Trooper | 4010 | 20 | 12/30/21 | 01/13/22 | 15 | 54,558 | 209.84 | 2,248 | Pending Recruitment |
| 40696 | State Police Trooper | 4010 | 20 | 11/01/21 | 01/13/22 | 74 | 54,558 | 209.84 | 11,092 | Pending Recruitment |
| 10861 | State Police Trooper | 4010 | 20 | 06/04/21 | 01/13/22 | 224 | 54,558 | 209.84 | 33,574 | Pending Recruitment |
| 43080 | State Police Trooper | 4010 | 20 | 06/04/21 | 01/13/22 | 224 | 54,558 | 209.84 | 33,574 | Pending Recruitment |
| 10873 | State Police Trooper | 4010 | 20 | 12/30/21 | 01/13/22 | 15 | 54,558 | 209.84 | 2,248 | Pending Recruitment |
| 18712 | State Police Trooper | 4010 | 20 | 12/30/21 | 01/13/22 | 15 | 54,558 | 209.84 | 2,248 | Pending Recruitment |
| 18713 | State Police Trooper | 4010 | 20 | 12/31/21 | 01/13/22 | 14 | 54,558 | 209.84 | 2,098 | Pending Recruitment |
| 10713 | State Police Trooper | 4010 | 20 | 10/07/21 | 01/13/22 | 99 | 54,558 | 209.84 | 14,839 | Pending Recruitment |
| 18454 | State Police Trooper | 4010 | 20 | 10/07/21 | 01/13/22 | 99 | 54,558 | 209.84 | 14,839 | Pending Recruitment |
| | | | | | | | | | | |
| Unexpended Salary Balance | | | | | | | | | 357,838 | |
| (less) Overtime Transfer | | | | | | | | | (350,000) | |
| 4010 Total | | | | | | | | | 7,838 | |
| Grand Total | | | | | | | | | 7,838 | |

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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.