

123

M.L.L.



# State of New Hampshire

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

RICHARD C. BAILEY, JR.  
ASSISTANT COMMISSIONER

EDDIE EDWARDS  
ASSISTANT COMMISSIONER

ROBERT L. QUINN  
COMMISSIONER

March 20, 2023

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 \$450,000.00 for permanent personnel from class 10 appropriations for positions that are vacant due to illness, extended leaves of absence, or pending recruitment at Enforcement. The \$450,000.00 represents the estimate of additional funds needed for the remainder of SFY 2023. Effective upon Governor and Council approval through June 30, 2023. Funding Source: 81.55% General Funds and 18.45% Highway Funds

### EXPLANATION

The Department of Safety, Division of State Police, Enforcement, requests an overtime transfer for actual expenditures not to exceed \$450,000.00. 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 25 positions at any given time during SFY 2023. In SFY 2023, the Division has had at least thirteen (13) members out on military leave at different times, as well as six (6) members on FMLA leave due to injury or illness and four (4) members on Workers Compensation leave due to an injury.

The Department of Safety, Division of State Police, Enforcement, spent \$499,306.64 in SFY 2021 and \$530,575.20 in SFY 2022 in overtime expenses. In SFY 2023, the Division has spent \$488,802.82 in overtime expenses through February 2023.

In SFY 2021 the original overtime budget of \$390,000.00 was increased to \$616,500.00. In SFY 2022 the original overtime budget of \$375,000.00 was increased to \$725,000.00. This requested action to increase the original SFY 2023 overtime budget of \$375,000.00 is required because the Division was not expecting such a decrease in personnel due to illness, leave of absences, military leave, and position vacancies.

521  
His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
March 20, 2023  
Page 2 of 2

The above requested action is to cover the expenses incurred for SFY 2023 and any additional expenditure for the remainder of SFY 2023 based on expected demand for services and existing 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: March 14, 2023

Division of Expenditure Request:  
Enforcement

# Positions	Estimated Overtime	
	Regular Time	Time & One-Half
25	\$ 450,000	\$

Estimated Vacant Positions: Number  
25

<u>Title &amp; Labor Grade</u>	<u>Number</u>	<u>Legislative Appropriation</u>
Executive Secretary	LG 11 2	\$ 21,980.00
State Police Sergeant	LG 25 6	\$ 111,622.00
State Police Trooper	LG 20 17	\$ 534,592.00
<b>Total:</b>		<b>\$ 668,194.00</b>

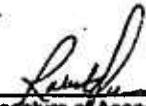
Reasons for Vacant Positions: Pending Recruitment and Leaves of Absence

Request Permission to transfer appropriations as follows:

From:	To:	Amount
02-23-23-234015-40100000-010-500100	02-23-23-234015-40100000-018-500106	\$ 450,000.00

**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 Carragher  
 Director of Personnel Lorrie A Rudis  
 Comptroller Dan Cer

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)

---

PAKT 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.