



State of New Hampshire

DEPARTMENT OF SAFETY
OFFICE OF THE COMMISSIONER
33 HAZEN DR. CONCORD, N.H. 03305
603-271-2791

ROBERT L. QUINN
COMMISSIONER OF SAFETY

March 19, 2020

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 \$194,775.00 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 \$194,775.00 represents the estimate of additional funds needed for the remainder of SFY 2020. Effective upon Governor and Council approval through June 30, 2020. 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 \$194,775.00. The requested transfer from Class 10, Personnel Services, represents 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 13 positions at any given time during SFY 2020. In SFY 2020, the Division has had at least 14 Division members out on military leave at different times, as well as 11 Division members on FMLA leave due to injury or illness and one Division member on worker's compensation leave due to injuries.

The Department of Safety, Division of State Police, Enforcement, spent \$352,904.54 in SFY 2018 and \$342,161.55 in SFY 2019 in overtime expenses. In SFY 2020, the Division has spent \$396,011.61 to date.

The original SFY 2018 budget was \$330,000.00 and the SFY 2019 budget was also \$330,000.00. The Department increased that amount by \$80,000.00 in SFY 2018 and by \$140,000.00 in SFY 2019. The original SFY 2020 budget was \$390,000.00; however, State Police was not expecting such a decrease in personnel due to illness, leaves of absence, military leave, and position vacancies.

The above requested action is to cover the expenses incurred for SFY 2020 and any additional expenditure for the remainder of SFY 2020 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: March 19, 2020

Division of Expenditure Request:
Enforcement

# Positions	Estimated Overtime	
	Regular Time	Time & One-Half

13	\$	194,775	\$	-
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Number

Estimated Vacant Positions: 13

<u>Title & Labor Grade</u>	<u>Number</u>	<u>Legislative Appropriation</u>
State Police Trooper	LG 19 13	\$ 194,776.00
Total:		\$ 194,776.00

Reasons for Vacant Positions: Pending Recruitment and Leaves of Absence

Request Permission to transfer appropriations as follows:

From:	To:	<u>Amount</u>
02-23-23-234015-40100000-010-500100	02-23-23-234015-40100000-018-500106	\$ 194,775.00

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 Melvin Cowley ^{3/25/20}
 Director of Personnel Garris Alford
 Comptroller Don Civ

**Estimated Unexpended Wages for Enforcement Positions
vacant during the period June 7, 2019 through March 12, 2020
DOS**

POS #	TITLE	APPRO	LG	First Day Vacant	Last Day Vacant	# DAYS	Annual Rate	Daily Rate	Unexpended Salary	REASON VACANT
10703	State Police Trooper	4010	19	06/20/19	08/02/19	44	51,750	199.04	6,256	Pending Recruitment
18075	State Police Trooper	4010	19	06/21/19	08/02/19	43	51,750	199.04	6,113	Pending Recruitment
18709	State Police Trooper	4010	19	06/21/19	08/16/19	57	51,750	199.04	8,104	Pending Recruitment
40694	State Police Trooper	4010	19	06/07/19	08/02/19	57	51,750	199.04	8,104	Pending Recruitment
40696	State Police Trooper	4010	19	06/07/19	08/02/19	57	51,750	199.04	8,104	Pending Recruitment
43191	State Police Trooper	4010	19	06/07/19	01/02/20	210	51,750	199.04	29,856	Pending Recruitment
18449	State Police Trooper	4010	19	07/19/19	12/06/19	141	51,750	199.04	20,046	Pending Recruitment
18668	State Police Trooper	4010	19	08/16/19	12/06/19	113	51,750	199.04	16,065	Pending Recruitment
18692	State Police Trooper	4010	19	08/16/19	03/12/20	210	51,750	199.04	29,856	Pending Recruitment
10791	State Police Trooper	4010	19	10/10/19	03/12/20	155	51,750	199.04	22,037	Pending Recruitment
10844	State Police Trooper	4010	19	12/05/19	03/12/20	99	51,750	199.04	14,075	Pending Recruitment
40695	State Police Trooper	4010	19	12/12/19	03/12/20	92	51,750	199.04	13,080	Pending Recruitment
18648	State Police Trooper	4010	19	12/12/19	03/12/20	92	51,750	199.04	13,080	Pending Recruitment
Unexpended Salary Balance									194,776	
(less) Overtime Transfer									(194,775)	
4010 Total									1	
Grand Total									1	

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.