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State of New Hampshire  
DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

March 22, 2017

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 \$300,000.00 for permanent personnel from class 10 appropriations for positions that are vacant due to illness, extended leaves of absence, or pending recruitment at Traffic Bureau. The \$300,000.00 represents the estimate of additional funds needed for the pay periods covering March 3, 2017 through May 25, 2017 of state fiscal year 2017. Effective upon Governor and Council approval through June 30, 2017. Funding Source: 52.17% General Funds, 25% Highway Funds, 22.83% Turnpike Funds.

**Explanation**

The Department of Safety, Division of State Police, Traffic Bureau, requests an overtime transfer for actual expenditures not to exceed \$300,000.00. 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 four to six months, not including training prior to assuming any full time shifts. The Division of State Police, Traffic Bureau's total vacancies were 25 positions at any given time during SFY 2017. In SFY 2017, the Division has had at least twelve (12) Division members out on Military leave at different times, as well as nine (9) Division members on FMLA leave due to injury or illness and nine (9) Division members on Workers Compensation leave due to injuries.

The Department of Safety, Division of State Police, Traffic Bureau, spent \$619,473.25 in SFY 2015 and \$791,344.59 in SFY 2016 in overtime expenses. In SFY 2017, the Division has spent \$861,322.14 to date and projects needing total overtime appropriations of \$1,050,000.00

The above requested action, made in accordance with applicable rule and law, is to cover the expenses incurred for SFY 2017 and any additional expenditure for the remainder of SFY 2017 through May 25, 2017. An A-29 form supporting this request is attached.

Respectfully submitted,

John J. Barthelmes  
Commissioner of Safety

**Estimated Unexpended Wages for Enforcement Positions vacant during the period June 10, 2016 through March 2, 2017**  
DOS

POS #	TITLE	APPRO	LG	First Day Vacant	Last Day Vacant	# DAYS	Annual Rate	Daily Rate	Unexpended Salary	REASON VACANT
10929	State Polic Lieutenant	4003	27	06/23/16	07/20/16	28	68,900	265.00	5,300	Pending Recruitment
10885	State Police Captain	4003	29	10/27/16	01/06/17	72	75,150	289.04	14,865	Pending Recruitment
10723	State Police Lieutenant	4003	27	07/21/16	10/14/16	86	68,900	265.00	16,279	Pending Recruitment
10905	State Police Lieutenant	4003	27	10/27/16	03/02/17	127	68,900	265.00	24,039	Pending Recruitment
10678	State Police Lieutenant	4003	27	01/06/17	03/02/17	56	68,900	265.00	10,600	Pending Recruitment
10663	State Police Major	4003	31	06/10/16	03/02/17	266	81,900	315.00	59,850	Pending Recruitment
10790	State Police Sergeant	4003	24	08/01/16	09/02/16	33	60,500	232.69	5,485	Pending Recruitment
10793	State Police Sergeant	4003	24	06/10/16	07/22/16	43	60,500	232.69	7,147	Pending Recruitment
10873	State Police Trooper	4003	19	06/10/16	08/05/16	57	49,200	189.23	7,704	Pending Recruitment
10881	State Police Trooper	4003	19	06/10/16	08/05/16	57	49,200	189.23	7,704	Pending Recruitment
10902	State Police Trooper	4003	19	06/10/16	08/05/16	57	49,200	189.23	7,704	Pending Recruitment
18058	State Police Trooper	4003	19	06/10/16	08/05/16	57	49,200	189.23	7,704	Pending Recruitment
18068	State Police Trooper	4003	19	06/10/16	08/05/16	57	49,200	189.23	7,704	Pending Recruitment
18708	State Police Trooper	4003	19	06/10/16	12/09/16	183	49,200	189.23	24,735	Pending Recruitment
10907	State Police Trooper	4003	19	09/01/16	03/02/17	183	49,200	189.23	24,735	Pending Recruitment
10913	State Police Trooper	4003	19	06/10/16	12/09/16	183	49,200	189.23	24,735	Pending Recruitment
41171	State Police Trooper	4003	19	06/10/16	12/09/16	183	49,200	189.23	24,735	Pending Recruitment
41252	State Police Trooper	4003	19	06/10/16	03/02/17	266	49,200	189.23	35,954	Pending Recruitment
16718	State Police Trooper	4003	19	07/23/16	12/09/16	140	49,200	189.23	18,923	Pending Recruitment
16719	State Police Trooper	4003	19	06/21/16	03/02/17	255	49,200	189.23	34,467	Pending Recruitment
10792	State Police Trooper	4003	19	09/01/16	03/02/17	183	49,200	189.23	24,735	Pending Recruitment
10849	State Police Trooper	4003	19	11/03/16	03/02/17	120	49,200	189.23	16,220	Pending Recruitment
10878	State Police Trooper	4003	19	09/15/16	03/02/17	169	49,200	189.23	22,843	Pending Recruitment
19978	State Police Trooper	4003	19	11/13/16	03/02/17	110	49,200	189.23	14,868	Pending Recruitment
16720	State Police Trooper	4003	19	12/16/16	03/02/17	77	49,200	189.23	10,408	Pending Recruitment
Unexpended Salary Balance									459,443	
(less) Overtime Transfer									(300,000)	
<b>4003 Total</b>									<b>159,443</b>	
<b>Grand Total</b>									<b>159,443</b>	

## Expenditure Request-Overtime Permanent Personnel Services

Department: Safety

Date: March 7, 2017

Division of Expenditure Request:  
Traffic Bureau

# Positions	Estimated Overtime	
	Regular Time	Time & One-Half
25	\$ 300,000	\$ -

Estimated Vacant Positions: Number 25

<u>Title &amp; Labor Grade</u>	<u>Number</u>	<u>Legislative Appropriation</u>
State Police Lietenant	LG 27 4	\$ 56,218.00
State Police Major	LG 31 1	\$ 59,850.00
State Police Captain	LG 29 1	\$ 14,865.00
State Police Sergeant	LG 24 2	\$ 12,632.00
State Police Trooper I	LG 19 17	\$ 315,878.00
Total:		\$ 459,443.00


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>
02-23-23-234015-40030000-010-500100	02-23-23-234015-40030000-018-500106	\$ 300,000.00

**Certification:**

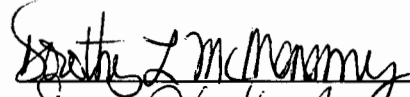
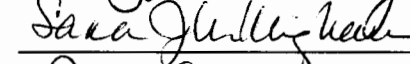

Expenditure of Permanent Personnel Service appropriations will be limited solely to positions vacant due to sick leave, extended leave of absence or pending recruitment. If this request is approved, total expenditures will not exceed the legislative appropriation.

  
 \_\_\_\_\_  
 Signature of Agency Head

**Expenditure Authorization**

Approval Requires:

Governor and Council \_\_\_\_\_

Business Supervisor   
 Director of Personnel   
 Comptroller 

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)

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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.