

2015 -- S 0371

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM

Introduced By: Senators Ciccone, Lombardi, Walaska, and Felag

Date Introduced: February 25, 2015

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-59-7.2 of the General Laws in Chapter 16-59 entitled "Board of
2 Governors for Higher Education [See Title 16 Chapter 97 - The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-59-7.2. Longevity payments -- Nonclassified employees.** -- (a) The non-classified
5 employees of the board of governors for higher education, except for faculty employees and
6 except for non-classified employees already receiving longevity increases, shall be entitled to a
7 longevity payment in the amount of five percent (5%) of base salary after ten (10) years of
8 service and increasing to a total of ten percent (10%) of base salary after twenty (20) years of
9 service. The provisions of this section will apply only to employees under the grade of nineteen
10 (19). The longevity payments shall not be included in base salary.

11 (b) The board of governors is authorized to promulgate regulations implementing the
12 provisions of this section.

13 (c) Beginning on July 1, 2011, notwithstanding any rule, regulation, or provision of the
14 public laws or general laws to the contrary, there shall be no further longevity increases for
15 employees of the board of governors; provided, however, for employees with longevity
16 provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity
17 increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the applicable
18 collective bargaining agreement, whichever occurs later. To the extent an employee has
19 previously accrued longevity payments, the amount of the longevity payment earned by the

1 employee for the last pay period in June, 2011 shall be added to the employee's base salary as of
2 June 30, 2011, or in the case of an employee with longevity provisions pursuant to a collective
3 bargaining agreement in effect on June 1, 2011, the amount of the longevity payment earned by
4 the employee for the latter of the last pay period in June or the last pay period prior to the
5 expiration of the applicable collective bargaining agreement shall be added to the employee's base
6 salary as of June 30, 2011 or upon the expiration of the applicable collective bargaining
7 agreement, whichever occurs later.

8 Beginning on July 1, 2015, notwithstanding any rule, regulation, or provision of the
9 public laws or general laws to the contrary, state employees shall be entitled to a longevity
10 payment of five percent (5%) of base salary after ten (10) years of service and increasing in total
11 of ten percent (10%) of base salary after twenty (20) years of service.

12 SECTION 2. Section 16-60-7.2 of the General Laws in Chapter 16-60 entitled "Board of
13 Regents for Elementary and Secondary Education [See Title 16 Chapter 97 - The Rhode Island
14 Board of Education Act]" is hereby amended to read as follows:

15 **16-60-7.2. Longevity payments -- Nonclassified employees.** -- (a) The non-classified
16 employees of the board of regents for elementary and secondary education, except for non-
17 classified employees already receiving longevity increases, shall be entitled to a longevity
18 payment in the amount of five percent (5%) of base salary after ten (10) years of service and
19 increasing to a total of ten percent (10%) of base salary after twenty (20) years of service. The
20 provisions of this section shall apply only to employees under the grade of nineteen (19). The
21 longevity payments shall not be included in base salary.

22 (b) The board of regents is authorized to promulgate regulations implementing the
23 provisions of this section.

24 (c) Beginning on July 1, 2011, notwithstanding any rule, regulation, or provision of the
25 public laws or general laws to the contrary, there shall be no further longevity increases for
26 employees of the board of regents for elementary and secondary education; provided, however,
27 for employees with longevity provisions pursuant to a collective bargaining agreement in effect
28 on June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the
29 expiration of the applicable collective bargaining agreement, whichever occurs later. To the
30 extent an employee has previously accrued longevity payments, the amount of the longevity
31 payment earned by the employee for the last pay period in June, 2011 shall be added to the
32 employee's base salary as of June 30, 2011, or in the case of an employee with longevity
33 provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, the amount of
34 the longevity payment earned by the employee for the latter of the last pay period in June or the

1 last pay period prior to the expiration of the applicable collective bargaining agreement shall be
2 added to the employee's base salary as of June 30, 2011 or upon the expiration of the applicable
3 collective bargaining agreement, whichever occurs later.

4 Beginning on July 1, 2015, notwithstanding any rule, regulation, or provision of the
5 public laws or general laws to the contrary, state employees shall be entitled to a longevity
6 payment of five percent (5%) of base salary after ten (10) years of service and increasing in total
7 of ten percent (10%) of base salary after twenty (20) years of service.

8 SECTION 3. Sections 36-4-17.1 and 36-4-17.2 of the General Laws in Chapter 36-4
9 entitled "Merit System" are hereby amended to read as follows:

10 **36-4-17.1. Longevity payments.** -- A state employee in the classified or unclassified
11 service who terminates employment and is subsequently reemployed by the state, notwithstanding
12 any rule, regulation, or provision of the general laws to the contrary, shall be eligible to receive an
13 aggregate longevity increase for the period of ~~initial~~ employment. The provisions of this section
14 shall be applied retroactively to those persons reemployed prior to June 1, 1980, and thereafter.

15 **36-4-17.2. Future longevity payments.** -- Beginning on July 1, 2011, notwithstanding
16 any rule, regulation, or provision of the public laws or general laws to the contrary, there shall be
17 no further longevity increases for state employees; provided, however, for employees with
18 longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,
19 longevity increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the
20 applicable collective bargaining agreement, whichever occurs later. To the extent an employee
21 has previously accrued longevity payments, the employee shall continue to receive the same
22 longevity percentage in effect on June 30, 2011, or in the case of an employee with longevity
23 provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, the same
24 longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable collective
25 bargaining agreement, whichever occurs later.

26 Beginning on July 1, 2015, notwithstanding any rule, regulation, or provision of the
27 public laws or general laws to the contrary, state employees shall be entitled to a longevity
28 payment of five percent (5%) of base salary after ten (10) years of service and increasing in total
29 of ten percent (10%) of base salary after twenty (20) years of service.

30 SECTION 4. Section 36-6-22 of the General Laws in Chapter 36-6 entitled "Salaries and
31 Traveling Expenses" is hereby amended to read as follows:

32 **36-6-22. Longevity payments.** -- Beginning on July 1, 2011, notwithstanding any rule,
33 regulation, or provision of the public laws or general laws to the contrary, there shall be no
34 further longevity increases for officers, secretaries, and employees of the legislative branch, the

1 judicial branch, the office of the governor, the office of the lieutenant governor, the department of
2 state, the department of the attorney general, and the treasury department; provided, however, for
3 employees with longevity provisions pursuant to a collective bargaining agreement in effect on
4 June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the
5 expiration of the applicable collective bargaining agreement, whichever occurs later. To the
6 extent an employee has previously accrued longevity payments, the employee shall continue to
7 receive the same longevity percentage in effect on June 30, 2011, or in the case of an employee
8 with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,
9 the same longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable
10 collective bargaining agreement, whichever occurs later.

11 Beginning on July 1, 2015, notwithstanding any rule, regulation, or provision of the
12 public laws or general laws to the contrary, state employees shall be entitled to a longevity
13 payment of five percent (5%) of base salary after ten (10) years of service and increasing in total
14 of ten percent (10%) of base salary after twenty (20) years of service.

15 SECTION 5. Section 36-16.2-1 of the General Laws in Chapter 36-16.2 entitled "Quasi
16 Public Corporations - Longevity" is hereby amended to read as follows:

17 **36-16.2-1. Longevity payments -- Quasi public employees. --** (a) Beginning on July 1,
18 2011, notwithstanding any rule, regulation, or provision of the public laws or general laws to the
19 contrary, there shall be no further longevity increases for employees of the quasi- public
20 corporations; provided, however, for employees with longevity provisions pursuant to a collective
21 bargaining agreement in effect on June 1, 2011, longevity increases shall cease beginning on July
22 1, 2011, or beginning upon the expiration of the applicable collective bargaining agreement,
23 whichever occurs later. To the extent an employee has previously accrued longevity payments,
24 the amount of the longevity payment earned by the employee for the last pay period in June, 2011
25 shall be added to the employee's base salary as of June 30, 2011, or in the case of an employee
26 with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,
27 the amount of the longevity payment earned by the employee for the latter of the last pay period
28 in June or the last pay period prior to the expiration of the applicable collective bargaining
29 agreement shall be added to the employee's base salary as of June 30, 2011 or upon the expiration
30 of the applicable collective bargaining agreement, whichever occurs later.

31 (b) For purposes of this section "quasi-public corporation" means a body corporate and
32 politic acting as a public corporation, which has been organized pursuant to law and granted
33 certain powers, rights and privileges by the general laws, while exhibiting a distinct legal
34 existence from the state, and not constituting a department of the state government, in order to

1 perform a governmental function.

2 Beginning on July 1, 2015, notwithstanding any rule, regulation, or provision of the
3 public laws or general laws to the contrary, state employees shall be entitled to a longevity
4 payment of five percent (5%) of base salary after ten (10) years of service and increasing in total
5 of ten percent (10%) of base salary after twenty (20) years of service.

6 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM

1 This act would restore longevity payments of five percent (5%) of base salary for
2 employees after ten (10) years of service and increase to ten percent (10%) of base salary after
3 twenty (20) years of service.

4 This act would take effect upon passage.

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