

IN THE SENATE

SENATE BILL NO. 1055

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO PERSONNEL; AMENDING SECTION 67-5309D, IDAHO CODE, TO AUTHORIZE  
2 THE DIRECTOR AND ADMINISTRATOR OF THE DIVISION OF HUMAN RESOURCES TO  
3 SEEK CERTAIN LEGAL REMEDIES REGARDING RECRUITMENT OR RETENTION BONUSES  
4 AND TO MAKE TECHNICAL CORRECTIONS.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 67-5309D, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 67-5309D. OTHER PAY DELIVERY OPTIONS. (1) In addition to pay increases  
10 authorized in section 67-5309B, Idaho Code, the department director may  
11 grant a classified employee bonus pay not to exceed two thousand dollars  
12 (\$2,000) in any given fiscal year based upon exemplary performance. Excep-  
13 tions to the two thousand dollar (\$2,000) limit provided in this subsection  
14 ~~(1)~~ may be granted in extraordinary circumstances if approved in advance by  
15 the state board of examiners. Departments shall submit a report to the divi-  
16 sion of financial management and the legislative services office by October  
17 1 on all bonuses granted in the preceding fiscal year.

18 (2) In addition to pay increases authorized in section 67-5309B, Idaho  
19 Code, the department director may grant a classified employee an award pay-  
20 ment based upon suggestions or recommendations made by the employee ~~which~~  
21 that resulted in taxpayer savings as a result of cost savings or greater ef-  
22 ficiencies to the department or to the state of Idaho in excess of the amount  
23 of the award, and in compliance with the rules for employee suggestion awards  
24 promulgated by the division of human resources. The award may be an amount up  
25 to twenty-five percent (25%) of the amount determined to be the dollar sav-  
26 ings to the state, but not in excess of two thousand dollars (\$2,000). Ex-  
27 ceptions to the two thousand dollar (\$2,000) limit provided in this subsec-  
28 tion ~~(2)~~ may be granted in extraordinary circumstances if approved in ad-  
29 vance by the state board of examiners. Departments shall submit a report to  
30 the division of financial management and the legislative services office by  
31 October 1 on all employee suggestion awards granted in the preceding fiscal  
32 year. Such report shall include any changes made as a direct result of an em-  
33 ployee's suggestion and savings resulting therefrom.

34 (3) In addition to pay increases authorized in section 67-5309B, Idaho  
35 Code, the department director may grant award pay to a classified employee  
36 for recruitment or retention purposes upon completion of at least six (6)  
37 months of achieving performance standards. The department director and the  
38 administrator of the division of human resources are authorized to seek le-  
39 gal remedies available, including deductions from an employee's accrued va-  
40 cation funds, from an employee who resigns during the designated period of  
41 time after receipt of a recruitment or retention bonus. Departments shall  
42 submit a report to the division of financial management and the legislative

1 services office by October 1 on all such awards granted in the preceding fis-  
2 cal year.

3 (4) In addition to pay increases authorized in section 67-5309B, Idaho  
4 Code, department directors may provide a classified employee other nonper-  
5 formance related pay as provided in this subsection ~~(4)~~. Departments shall  
6 submit a report to the division of financial management and the legislative  
7 services office by October 1 on all such awards granted in the preceding fis-  
8 cal year.

9 (a) Shift differential pay up to twenty-five percent (25%) of hourly  
10 rates depending on local market rates in order to attract and retain  
11 qualified staff.

12 (b) Geographic differential pay in areas of the state where recruitment  
13 and retention of qualified staff are difficult due to economic condi-  
14 tions and cost of living.

15 (c) Employees in the same classification who are similarly situated  
16 shall be treated consistently in respect to shift differential and geo-  
17 graphic pay differential.

18 (5) When necessary to obtain or retain qualified personnel in a partic-  
19 ular classification, upon petition of the department to the administrator  
20 containing acceptable reasons therefor, a higher temporary pay grade may be  
21 authorized by the administrator ~~which that~~, if granted, shall be reviewed  
22 annually to determine the need for continuance.

23 (6) In unusual circumstances, with prior approval from the administra-  
24 tors of the division of human resources and the division of financial manage-  
25 ment, agencies may grant nonperformance related pay to employees, which in  
26 no case may exceed five percent (5%) of an employee's base pay. Departments  
27 shall submit a report to the division of financial management and the leg-  
28 islative services office by October 1 on all such awards granted in the pre-  
29 ceding fiscal year.

30 (7) Specific pay codes shall be established and maintained in the state  
31 controller's office to ensure accurate reporting and monitoring of all pay  
32 actions authorized in this section.