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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES - LONGEVITY PAYMENTS

Introduced By: Representatives DaSilva, Guthrie, Flaherty, Savage, and Messier

Date Introduced: February 08, 2012

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 36-4-17.1 and 36-4-17.2 of the General Laws in Chapter 36-4  
2 entitled "Merit System" are hereby amended to read as follows:

3           **36-4-17.1. Longevity payments.** -- A state employee in the classified or unclassified  
4 service who terminates employment and is subsequently reemployed by the state, notwithstanding  
5 any rule, regulation, or provision of the general laws to the contrary, shall be eligible to receive an  
6 aggregate longevity increase for the period of ~~initial~~ employment. The provisions of this section  
7 shall be applied retroactively to those persons reemployed prior to June 1, 1980, and thereafter.

8           **36-4-17.2. Future longevity payments.** -- Beginning on July 1, ~~2011~~ 2012,  
9 notwithstanding ~~any rule, regulation, or provision of the public laws or general laws to the~~  
10 ~~contrary, there shall be no further longevity increases for state employees; provided, however, for~~  
11 ~~employees with longevity provisions pursuant to a collective bargaining agreement in effect on~~  
12 ~~June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the~~  
13 ~~expiration of the applicable collective bargaining agreement, whichever occurs later. To the~~  
14 ~~extent an employee has previously accrued longevity payments, the employee shall continue to~~  
15 ~~receive the same longevity percentage in effect on June 30, 2011, or in the case of an employee~~  
16 ~~with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~  
17 ~~the same longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable~~  
18 ~~collective bargaining agreement, whichever occurs later~~ any provision of the public laws or  
19 general laws to the contrary, there shall be no further longevity increases for state employees

1 except those increases provided through collective bargaining. To the extent an employee has  
2 previously accrued longevity payments, the employee shall continue to receive the same  
3 longevity percentage in effect on June 30, 2011, unless modified through collective bargaining.

4 SECTION 2. Section 16-59-7.2 of the General Laws in Chapter 16-59 entitled "Board of  
5 Governors for Higher Education" is hereby amended to read as follows:

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

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

15 (c) Beginning on July 1, ~~2011~~ 2012, notwithstanding any ~~rule, regulation, or~~ provision of  
16 the public laws or general laws to the contrary, there shall be no further longevity increases for  
17 employees of the board of governors; ~~provided, however, for employees with longevity~~  
18 ~~provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity~~  
19 ~~increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the applicable~~  
20 ~~collective bargaining agreement, whichever occurs later. To the extent an employee has~~  
21 ~~previously accrued longevity payments, the amount of the longevity payment earned by the~~  
22 ~~employee for the last pay period in June, 2011 shall be added to the employee's base salary as of~~  
23 ~~June 30, 2011, or in the case of an employee with longevity provisions pursuant to a collective~~  
24 ~~bargaining agreement in effect on June 1, 2011, the amount of the longevity payment earned by~~  
25 ~~the employee for the latter of the last pay period in June or the last pay period prior to the~~  
26 ~~expiration of the applicable collective bargaining agreement shall be added to the employee's base~~  
27 ~~salary as of June 30, 2011 or upon the expiration of the applicable collective bargaining~~  
28 ~~agreement, whichever occurs later.~~ except those increases provided through the collective  
29 bargaining. To the extent an employee has previously accrued longevity payments, the amount of  
30 the longevity payment earned by the employee for the last pay period in June, 2011 shall be  
31 added to the employee's base salary as of June 30, 2011 unless modified through collective  
32 bargaining.

33 SECTION 3. Section 16-60-7.2 of the General Laws in Chapter 16-60 entitled "Board of  
34 Regents for Elementary and Secondary Education" is hereby amended to read as follows:

1           **16-60-7.2. Longevity payments -- Nonclassified employees.** -- (a) The non-classified  
2 employees of the board of regents for elementary and secondary education, except for non-  
3 classified employees already receiving longevity increases, shall be entitled to a longevity  
4 payment in the amount of five percent (5%) of base salary after ten (10) years of service and  
5 increasing to a total of ten percent (10%) of base salary after twenty (20) years of service. The  
6 provisions of this section shall apply only to employees under the grade of nineteen (19). The  
7 longevity payments shall not be included in base salary.

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

10           (c) Beginning on July 1, ~~2011~~ 2012, notwithstanding any ~~rule, regulation, or~~ provision of  
11 the public laws or general laws to the contrary, there shall be no further longevity increases for  
12 employees of the board of regents for elementary and secondary education; ~~provided, however,~~  
13 ~~for employees with longevity provisions pursuant to a collective bargaining agreement in effect~~  
14 ~~on June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the~~  
15 ~~expiration of the applicable collective bargaining agreement, whichever occurs later. To the~~  
16 ~~extent an employee has previously accrued longevity payments, the amount of the longevity~~  
17 ~~payment earned by the employee for the last pay period in June, 2011 shall be added to the~~  
18 ~~employee's base salary as of June 30, 2011, or in the case of an employee with longevity~~  
19 ~~provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, the amount of~~  
20 ~~the longevity payment earned by the employee for the latter of the last pay period in June or the~~  
21 ~~last pay period prior to the expiration of the applicable collective bargaining agreement shall be~~  
22 ~~added to the employee's base salary as of June 30, 2011 or upon the expiration of the applicable~~  
23 ~~collective bargaining agreement, whichever occurs later. except those increases provided through~~  
24 ~~collective bargaining. To the extent an employee has previously accrued longevity payments, the~~  
25 ~~amount of the longevity payment earned by the employee for the last pay period in June, 2011~~  
26 ~~shall be added to the employee's base salary as of June 30, 2011 unless modified through~~  
27 ~~collective bargaining.~~

28           SECTION 4. Section 16-61-8.1 of the General Laws in Chapter 16-61 entitled "Rhode  
29 Island Public Telecommunications Authority" is hereby amended to read as follows:

30           **16-61-8.1. Longevity payments -- Nonclassified employees.** -- (a) Non-classified  
31 employees of the Rhode Island public telecommunications authority, except for non-classified  
32 employees already receiving longevity increases, shall be entitled to a longevity payment in the  
33 amount of five percent (5%) of base salary after ten (10) years of service and increasing in a total  
34 of ten percent (10%) of base salary after twenty (20) years of service. The provisions of this

1 section shall apply only to employees under the grade of nineteen (19). The longevity payments  
2 shall not be included in base salary.

3 (b) The telecommunications authority is authorized to promulgate regulations  
4 implementing the provisions of this section.

5 (c) Beginning on July 1, ~~2011~~ 2012, notwithstanding any ~~rule, regulation, or~~ provision of  
6 the public laws or general laws to the contrary, there shall be no further longevity increases for  
7 employees of the Rhode Island public telecommunications authority except for those increases  
8 provided through collective bargaining; ~~provided, however, for employees with longevity~~  
9 ~~provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity~~  
10 ~~increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the applicable~~  
11 ~~collective bargaining agreement, whichever occurs later.~~ To the extent an employee has  
12 previously accrued longevity payments, the amount of the longevity payment earned by the  
13 employee for the last pay period in June, 2011 shall be added to the employee's base salary as of  
14 June 30, 2011, unless modified through collective bargaining. ~~or in the case of an employee with~~  
15 ~~longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, the~~  
16 ~~amount of the longevity payment earned by the employee for the latter of the last pay period in~~  
17 ~~June or the last pay period prior to the expiration of the applicable collective bargaining~~  
18 ~~agreement shall be added to the employee's base salary as of June 30, 2011 or upon the expiration~~  
19 ~~of the applicable collective bargaining agreement, whichever occurs later.~~

20 SECTION 5. Section 36-6-22 of the General Laws in Chapter 36-6 entitled "Salaries and  
21 Traveling Expenses" is hereby amended to read as follows:

22 **36-6-22. Longevity payments.** -- Beginning on July 1, ~~2011~~ 2012, notwithstanding any  
23 ~~rule, regulation, or~~ provision of the public laws or general laws to the contrary, there shall be no  
24 further longevity increases for officers, secretaries, and employees of the legislative branch, the  
25 judicial branch, the office of the governor, the office of the lieutenant governor, the department of  
26 state, the department of the attorney general, and the treasury department, except for those  
27 increases provided through collective bargaining; ~~provided, however, for employees with~~  
28 ~~longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~  
29 ~~longevity increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the~~  
30 ~~applicable collective bargaining agreement, whichever occurs later.~~ To the extent an employee  
31 has previously accrued longevity payments, the amount of the longevity payment earned by the  
32 employee for the last pay period in June, 2011, shall be added to the employee's base salary as of  
33 June 30, 2011, unless modified through collective bargaining. ~~the employee shall continue to~~  
34 ~~receive the same longevity percentage in effect on June 30, 2011, or in the case of an employee~~

1 ~~with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~  
2 ~~the same longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable~~  
3 ~~collective bargaining agreement, whichever occurs later.~~

4 SECTION 6. Section 36-16.2-1 of the General Laws in Chapter 36-16.2 entitled "Quasi  
5 Public Corporations - Longevity" is hereby amended to read as follows:

6 **36-16.2-1. Longevity payments -- Quasi public employees.** -- (a) Beginning on July 1,  
7 ~~2011~~ 2012, notwithstanding any ~~rule, regulation, or~~ provision of the public laws or general laws  
8 to the contrary, there shall be no further longevity increases for employees of the quasi- public  
9 corporations except for those increases provided through collective bargaining. ~~provided,~~  
10 ~~however, for employees with longevity provisions pursuant to a collective bargaining agreement~~  
11 ~~in effect on June 1, 2011, longevity increases shall cease beginning on July 1, 2011, or beginning~~  
12 ~~upon the expiration of the applicable collective bargaining agreement, whichever occurs later.~~ To  
13 the extent an employee has previously accrued longevity payments, the amount of the longevity  
14 payment earned by the employee for the last pay period in June, 2011 shall be added to the  
15 employee's base salary as of June 30, 2011, unless modified through collective bargaining. ~~or in~~  
16 ~~the case of an employee with longevity provisions pursuant to a collective bargaining agreement~~  
17 ~~in effect on June 1, 2011, the amount of the longevity payment earned by the employee for the~~  
18 ~~latter of the last pay period in June or the last pay period prior to the expiration of the applicable~~  
19 ~~collective bargaining agreement shall be added to the employee's base salary as of June 30, 2011~~  
20 ~~or upon the expiration of the applicable collective bargaining agreement, whichever occurs later.~~

21 (b) For purposes of this section "quasi-public corporation" means a body corporate and  
22 politic acting as a public corporation, which has been organized pursuant to law and granted  
23 certain powers, rights and privileges by the general laws, while exhibiting a distinct legal  
24 existence from the state, and not constituting a department of the state government, in order to  
25 perform a governmental function.

26 SECTION 7. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES - LONGEVITY PAYMENTS

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1           This act would eliminate longevity payments for any state employee, as well as, any  
2 employees of the Board of Governors of Higher Education, the Board of Regents for Elementary  
3 and Secondary Education, the Rhode Island Public Telecommunications Authority, and of quasi-  
4 public corporations, not provided for in a collective bargaining agreement.

5           This act would take effect upon passage.

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