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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES - LONGEVITY PAYMENTS

Introduced By: Representatives San Bento, Lombardi, Palumbo, and Jacquard

Date Introduced: February 06, 2014

Referred To: House 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" is hereby amended to read as follows:

3 **16-59-7.2. Longevity payments -- Nonclassified employees.** -- (a) The non-classified
4 employees of the board of governors for higher education, except for faculty employees and
5 except for non-classified employees already receiving longevity increases, shall be entitled to a
6 longevity payment in the amount of five percent (5%) of base salary after ten (10) years of
7 service and increasing to a total of ten percent (10%) of base salary after twenty (20) years of
8 service. The provisions of this section will apply only to employees under the grade of nineteen
9 (19). The longevity payments shall not be included in base salary.

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

12 (c) Beginning on July 1, 2011 2014, notwithstanding any ~~rule, regulation, or~~ provision of
13 the public laws or general laws to the contrary, there shall be no further longevity increases for
14 employees of the board of governors; ~~provided, however, for employees with longevity~~
15 ~~provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity~~
16 ~~increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the applicable~~
17 ~~collective bargaining agreement, whichever occurs later. To the extent an employee has~~
18 ~~previously accrued longevity payments, the amount of the longevity payment earned by the~~
19 ~~employee for the last pay period in June, 2011 shall be added to the employee's base salary as of~~

1 ~~June 30, 2011, or in the case of an employee with longevity provisions pursuant to a collective~~
2 ~~bargaining agreement in effect on June 1, 2011, the amount of the longevity payment earned by~~
3 ~~the employee for the latter of the last pay period in June or the last pay period prior to the~~
4 ~~expiration of the applicable collective bargaining agreement shall be added to the employee's base~~
5 ~~salary as of June 30, 2011 or upon the expiration of the applicable collective bargaining~~
6 ~~agreement, whichever occurs later. except those increases provided through the collective~~
7 ~~bargaining. To the extent an employee has previously accrued longevity payments; the amount of~~
8 ~~the longevity payment earned by the employee for the last pay period in June, 2013 shall be~~
9 ~~added to the employee's base salary as of June 30, 2013 unless modified through collective~~
10 ~~bargaining.~~

11 SECTION 2. Section 16-60-7.2 of the General Laws in Chapter 16-60 entitled "Board of
12 Regents for Elementary and Secondary Education" is hereby amended to read as follows:

13 **16-60-7.2. Longevity payments -- Nonclassified employees.** -- (a) The non-classified
14 employees of the board of regents for elementary and secondary education, except for non-
15 classified employees already receiving longevity increases, shall be entitled to a longevity
16 payment in the amount of five percent (5%) of base salary after ten (10) years of service and
17 increasing to a total of ten percent (10%) of base salary after twenty (20) years of service. The
18 provisions of this section shall apply only to employees under the grade of nineteen (19). The
19 longevity payments shall not be included in base salary.

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

22 (c) Beginning on July 1, ~~2011~~ 2014, notwithstanding any ~~rule, regulation, or~~ provision of
23 the public laws or general laws to the contrary, there shall be no further longevity increases for
24 employees of the board of regents for elementary and secondary education; ~~provided, however,~~
25 ~~for employees with longevity provisions pursuant to a collective bargaining agreement in effect~~
26 ~~on June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the~~
27 ~~expiration of the applicable collective bargaining agreement, whichever occurs later. To the~~
28 ~~extent an employee has previously accrued longevity payments, the amount of the longevity~~
29 ~~payment earned by the employee for the last pay period in June, 2011 shall be added to the~~
30 ~~employee's base salary as of June 30, 2011, or in the case of an employee with longevity~~
31 ~~provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, the amount of~~
32 ~~the longevity payment earned by the employee for the latter of the last pay period in June or the~~
33 ~~last pay period prior to the expiration of the applicable collective bargaining agreement shall be~~
34 ~~added to the employee's base salary as of June 30, 2011 or upon the expiration of the applicable~~

1 ~~collective bargaining agreement, whichever occurs later.~~ except those increases provided through
2 collective bargaining. To the extent an employee has previously accrued longevity payments, the
3 amount of the longevity payment earned by the employee for the last pay period in June, 2013
4 shall be added to the employee's base salary as of June 30, 2012 unless modified through
5 collective bargaining.

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

8 **36-4-17.1. Longevity payments.** -- A state employee in the classified or unclassified
9 service who terminates employment and is subsequently reemployed by the state, notwithstanding
10 any rule, regulation, or provision of the general laws to the contrary, shall be eligible to receive an
11 aggregate longevity increase for the period of ~~initial~~ employment. The provisions of this section
12 shall be applied retroactively to those persons reemployed prior to June 1, 1980, and thereafter.

13 **36-4-17.2. Future longevity payments.** -- Beginning on July 1, ~~2011~~ 2014,
14 notwithstanding ~~any rule, regulation, or provision of the public laws or general laws to the~~
15 ~~contrary, there shall be no further longevity increases for state employees; provided, however, for~~
16 ~~employees with longevity provisions pursuant to a collective bargaining agreement in effect on~~
17 ~~June 1, 2011, longevity increases shall cease beginning on July 1, 2011 or beginning upon the~~
18 ~~expiration of the applicable collective bargaining agreement, whichever occurs later. To the~~
19 ~~extent an employee has previously accrued longevity payments, the employee shall continue to~~
20 ~~receive the same longevity percentage in effect on June 30, 2011, or in the case of an employee~~
21 ~~with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~
22 ~~the same longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable~~
23 ~~collective bargaining agreement, whichever occurs later~~ any provision of the general laws or
24 public laws to the contrary, there shall be no further longevity increases for state employees
25 except those increases provided through collective bargaining. To the extent an employee has
26 previously accrued longevity payments, the employee shall continue to receive the same
27 longevity percentage in effect on June 30, 2013, unless modified through collective bargaining.

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

30 **36-6-22. Longevity payments.** -- Beginning on July 1, ~~2011~~ 2014, notwithstanding any
31 ~~rule, regulation, or~~ provision of the public laws or general laws to the contrary, there shall be no
32 further longevity increases for officers, secretaries, and employees of the legislative branch, the
33 judicial branch, the office of the governor, the office of the lieutenant governor, the department of
34 state, the department of the attorney general, and the treasury department, except for those

1 ~~increases provided through collective bargaining.;~~ ~~provided, however, for employees with~~
2 ~~longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~
3 ~~longevity increases shall cease beginning on July 1, 2011 or beginning upon the expiration of the~~
4 ~~applicable collective bargaining agreement, whichever occurs later.~~ To the extent an employee
5 has previously accrued longevity payments, the amount of the longevity payment earned by the
6 employee for the last pay period in June, 2013, shall be added to the employee's base salary as of
7 June 30, 2013, unless modified through collective bargaining. ~~the employee shall continue to~~
8 ~~receive the same longevity percentage in effect on June 30, 2011, or in the case of an employee~~
9 ~~with longevity provisions pursuant to a collective bargaining agreement in effect on June 1, 2011,~~
10 ~~the same longevity percentage in effect on June 30, 2011 or upon the expiration of the applicable~~
11 ~~collective bargaining agreement, whichever occurs later.~~

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

14 **36-16.2-1. Longevity payments -- Quasi public employees. --** (a) Beginning on July 1,
15 ~~2011~~ 2014, notwithstanding any ~~rule, regulation, or~~ provision of the public laws or general laws
16 to the contrary, there shall be no further longevity increases for employees of the quasi- public
17 corporations except for those increases provided through collective bargaining.; ~~provided,~~
18 ~~however, for employees with longevity provisions pursuant to a collective bargaining agreement~~
19 ~~in effect on June 1, 2011, longevity increases shall cease beginning on July 1, 2011, or beginning~~
20 ~~upon the expiration of the applicable collective bargaining agreement, whichever occurs later.~~ To
21 the extent an employee has previously accrued longevity payments, the amount of the longevity
22 payment earned by the employee for the last pay period in June, ~~2011~~ 2013 shall be added to the
23 employee's base salary as of June 30, ~~2011~~ 2013, unless modified through collective bargaining.
24 ~~or in the case of an employee with longevity provisions pursuant to a collective bargaining~~
25 ~~agreement in effect on June 1, 2011, the amount of the longevity payment earned by the~~
26 ~~employee for the latter of the last pay period in June or the last pay period prior to the expiration~~
27 ~~of the applicable collective bargaining agreement shall be added to the employee's base salary as~~
28 ~~of June 30, 2011 or upon the expiration of the applicable collective bargaining agreement,~~
29 ~~whichever occurs later.~~

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

1 SECTION 6. 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

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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