

2023 -- H 5194

LC000392

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- COUNCIL ON POST SECONDARY EDUCATION

Introduced By: Representatives Corvese, Vella-Wilkinson, Azzinaro, Fellela, Solomon,  
and Noret

Date Introduced: January 19, 2023

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 "Council on  
2 Postsecondary Education [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]"  
3 is hereby amended to read as follows:

4 **16-59-7.2. Longevity payments — Nonclassified employees.**

5 (a) The non-classified employees of the board of governors for higher education, except  
6 for faculty employees and except for non-classified employees already receiving longevity  
7 increases, shall be entitled to a longevity payment in the amount of five percent (5%) of base salary  
8 after ten (10) years of service and increasing to a total of ten percent (10%) of base salary after  
9 twenty (20) years of service. The provisions of this section will apply only to employees under the  
10 grade of nineteen (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 provisions  
16 pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity increases shall  
17 cease beginning on July 1, 2011 or beginning upon the expiration of the applicable collective  
18 bargaining agreement, whichever occurs later. To the extent an employee has previously accrued  
19 longevity payments, the amount of the longevity payment earned by the employee for the last pay

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

7 Beginning on July 1, 2023, notwithstanding any rule, regulation, or provision of the public  
8 laws or general laws to the contrary, state employees shall be entitled to a longevity payment of  
9 five percent (5%) of base salary after ten (10) years of service and increasing in total of ten percent  
10 (10%) of base salary after twenty (20) years of service.

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

14 **16-60-7.2. Longevity payments — Nonclassified employees.**

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

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

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

1 base salary as of June 30, 2011 or upon the expiration of the applicable collective bargaining  
2 agreement, whichever occurs later.

3 Beginning on July 1, 2023, notwithstanding any rule, regulation, or provision of the public  
4 laws or general laws to the contrary, state employees shall be entitled to a longevity payment of  
5 five percent (5%) of base salary after ten (10) years of service and increasing in total of ten percent  
6 (10%) of base salary after twenty (20) years of service.

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

9 **36-4-17.1. Longevity payments.**

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

15 **36-4-17.2. Future longevity payments.**

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

26 Beginning on July 1, 2023, notwithstanding any rule, regulation, or provision of the public  
27 laws or general laws to the contrary, state employees shall be entitled to a longevity payment of  
28 five percent (5%) of base salary after ten (10) years of service and increasing in total of ten percent  
29 (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.**

33 Beginning on July 1, 2011, notwithstanding any rule, regulation, or provision of the public  
34 laws or general laws to the contrary, there shall be no further longevity increases for officers,

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

11 Beginning on July 1, 2023, notwithstanding any rule, regulation, or provision of the public  
12 laws or general laws to the contrary, state employees shall be entitled to a longevity payment of  
13 five percent (5%) of base salary after ten (10) years of service and increasing in total of ten percent  
14 (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.**

18 (a) Beginning on July 1, 2011, notwithstanding any rule, regulation, or provision of the  
19 public laws or general laws to the contrary, there shall be no further longevity increases for  
20 employees of the quasi-public corporations; provided, however, for employees with longevity  
21 provisions pursuant to a collective bargaining agreement in effect on June 1, 2011, longevity  
22 increases shall cease beginning on July 1, 2011, or beginning upon the expiration of the applicable  
23 collective bargaining agreement, whichever occurs later. To the extent an employee has previously  
24 accrued longevity payments, the amount of the longevity payment earned by the employee for the  
25 last pay period in June, 2011 shall be added to the employee's base salary as of June 30, 2011, or  
26 in the case of an employee with longevity provisions pursuant to a collective bargaining agreement  
27 in effect on June 1, 2011, the amount of the longevity payment earned by the employee for the  
28 latter of the last pay period in June or the last pay period prior to the expiration of the applicable  
29 collective bargaining agreement shall be added to the employee's base salary as of June 30, 2011  
30 or upon the expiration 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 certain  
33 powers, rights and privileges by the general laws, while exhibiting a distinct legal existence from  
34 the state, and not constituting a department of the state government, in order to perform a

1 governmental function.

2 Beginning on July 1, 2023, notwithstanding any rule, regulation, or provision of the public  
3 laws or general laws to the contrary, state employees shall be entitled to a longevity payment of  
4 five percent (5%) of base salary after ten (10) years of service and increasing in total of ten percent  
5 (10%) of base salary after twenty (20) years of service.

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

=====  
LC000392  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO EDUCATION -- COUNCIL ON POST SECONDARY EDUCATION

\*\*\*

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, beginning July 1, 2023.

4           This act would take effect upon passage.

=====  
LC000392  
=====