

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 725

State Government, Local Government, and Personnel Committee Substitute Adopted  
4/30/97

House Committee Substitute Favorable 8/20/97

Short Title: State Employee Incentive Bonus.

(Public)

Sponsors:

Referred to:

April 7, 1997

A BILL TO BE ENTITLED  
AN ACT AMENDING CHAPTER 143 OF THE GENERAL STATUTES TO PROVIDE  
FOR AN INCENTIVE BONUS PROGRAM TO RECOGNIZE AND REWARD  
THE COST-SAVING AND REVENUE-INCREASING INITIATIVES AND  
INNOVATIONS OF STATE EMPLOYEES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding a new  
Article to read:

**"ARTICLE 36A.**

**"STATE EMPLOYEE INCENTIVE BONUS PROGRAM.**

**"§ 143-345.10. Definitions.**

The following definitions apply in this Article:

(1) Baseline reversion. – The two-year historical average of reversions by a  
State department, agency, or institution.

(2) Employing unit. – Any of the following:

a. The principal Council of State office or department enumerated  
in G.S. 143A-11 for which a State employee works.

- 1           b.     The principal State department enumerated in G.S. 143B-6 for  
2           which a State employee works.
- 3           c.     The constituent institution of The University of North Carolina or  
4           the General Administration of The University of North Carolina  
5           for which a State employee works.
- 6           d.     The local school administrative unit for which a State employee  
7           works.
- 8           e.     The board, commission, or agency and its staff for which a State  
9           employee works, if that agency is not organizationally housed in  
10          any of the other offices, departments, or institutions listed in this  
11          subdivision.

12       (3)   State employee. – Any of the following:

- 13          a.     A person who is a contributing member of the Teachers' and  
14          State Employees' Retirement System of North Carolina, the  
15          Consolidated Judicial Retirement System of North Carolina, or  
16          the Optional Program.
- 17          b.     A person who receives wages from the State as a part-time or  
18          temporary worker, but is not otherwise a contributing member of  
19          one of the retirement programs listed in sub-subdivision a. of this  
20          subdivision.

21   **"§ 143-345.11. State employee incentive bonus.**

22       (a)   A State employee or team of State employees may receive an incentive bonus  
23       or bonuses in reward for suggestions or innovations resulting in monetary savings to the  
24       State, increased revenues to the State, or improved quality of services delivered to the  
25       public.

26       (b)   In addition to any bonuses paid directly to individual State employees, a  
27       portion of the cost-savings associated with any savings realized from permanent  
28       efficiencies implemented pursuant to this Article may be contributed to a reserve fund for  
29       State employee performance bonuses. Funds for State employee incentive bonuses shall  
30       only come from savings including reversions above the baseline reversion of the  
31       employing State department, agency, or institution.

32       (c)   Savings generated by suggestions and innovations shall be determined at the  
33       end of the fiscal year in which the suggestion or innovation is implemented. Any savings  
34       are to be calculated using the actual expenditures for a program, activity, or service  
35       compared to the budgeted amount for the same, if an amount has been budgeted for the  
36       program, activity, or service. The savings calculation shall include the amount of any  
37       reversions in excess of the baseline reversion. The savings or revenue increases realized  
38       from any suggestion or innovation implemented for less than one full fiscal year shall be  
39       annualized. Any savings realized through the State Employee Incentive Bonus Program  
40       shall be weighed against continued service to the public.

41       (d)   If a suggestion or innovation affects a program, activity, or service for which  
42       no separate budgeted amount has been made, the State Coordinator, in conjunction with

1 the agency evaluator for that suggestion or innovation, shall determine the budgetary  
2 impact of the suggestion or innovation.

3 **"§ 143-345.12. Allocation of incentive bonus funds; nonmonetary recognition.**

4 (a) If a State employee's suggestion or innovation results in a monetary savings or  
5 increased revenue to the State, the funds saved or increased shall be distributed according  
6 to the following scale:

7 (1) Twenty percent (20%) of the annualized savings or increased revenues,  
8 up to a maximum of twenty thousand dollars (\$20,000) for any one  
9 State employee, to constitute gainsharing. If a team of State employees  
10 is the suggester, the bonus provided in this subdivision shall be divided  
11 equally among the team members, except that no team member may  
12 receive in excess of twenty thousand dollars (\$20,000), nor may the  
13 team receive an aggregate amount in excess of one hundred thousand  
14 dollars (\$100,000).

15 (2) Thirty percent (30%) to a performance bonus reserve for all current  
16 employees of the employing unit of the suggester, to be distributed  
17 according to G.S. 126-7, the Comprehensive Compensation System for  
18 State employees, or according to the performance bonus compensation  
19 system in which the suggester's employing unit participates.

20 (3) The remainder to the General Fund for nonrecurring budget items.

21 (b) The budget of a State agency shall not be reduced in the following fiscal year  
22 by an amount similar to the monetary savings or increased revenues realized by the State  
23 Employee Incentive Bonus Program. The agency budget shall be reduced in subsequent  
24 years only if structural or organizational changes are made that warrant the reductions,  
25 including the transfer of responsibility for an activity or service to another agency or the  
26 elimination of some function of State government.

27 (c) If a suggestion or innovation results in improved quality of services to the  
28 public or to other State agencies, departments, and institutions, but not in monetary  
29 savings to the State, the suggester shall receive a nonmonetary award in the form of a  
30 certificate, leave with pay, or other similar recognition.

31 **"§ 143-345.13. Suggestion and review process; role of agency coordinator and**  
32 **agency evaluator.**

33 (a) The process for a State employee or team of State employees to submit a cost-  
34 saving or revenue-increasing proposal shall begin by the employee or team of employees  
35 submitting the suggestion or innovation to an agency coordinator designated by the State  
36 department, agency, or institution impacted by the suggestion or innovation. The agency  
37 coordinator, in conjunction with an agency evaluator, shall review the suggestion or  
38 innovation for submission to the Review Committee established in G.S. 143-345.14.

39 (b) The duties of the agency coordinator shall include:

40 (1) Serving as an information source and maintaining sufficient forms  
41 necessary to submit suggestions.

1           (2) Responsibility for presenting, in conjunction with the agency evaluator,  
2 the plan of implementation for a suggestion or innovation to the Review  
3 Committee.

4           (3) Working in conjunction with the agency evaluator designated by the  
5 State Coordinator for a particular suggestion or innovation.

6 An agency may have more than one coordinator if required to provide sufficient  
7 services to State employees.

8           (c) The duties of an agency evaluator shall include:

9           (1) Reviewing the feasibility and effectiveness of cost-saving or revenue-  
10 increasing measures suggested by State employees.

11           (2) Being knowledgeable of the subject program, activity, or service.

12           (3) Determining, in conjunction with the agency fiscal officer, the  
13 budgetary impact of a suggestion or innovation.

14           (4) Judging impartially both the positive and negative effects of a  
15 suggestion or innovation on the current functions of the subject  
16 program, activity, or service.

17 The specific assignments of the agency evaluator shall be determined by the agency  
18 coordinator.

19           (d) The State Coordinator shall be responsible for general oversight and  
20 coordination of the State Employee Incentive Bonus Program. The State Coordinator  
21 shall be a State employee working in the Department of Administration.

22 **"§ 143-345.14. Incentive Bonus Review Committee.**

23           (a) The Incentive Bonus Review Committee, hereinafter 'Review Committee',  
24 shall consist of nine members, as follows:

25           (1) The State Coordinator.

26           (2) A representative of the Office of State Budget and Management.

27           (3) A representative of the Office of State Personnel.

28           (4) A representative of The University of North Carolina.

29           (5) A representative of the Department of Justice.

30           (6) A representative of the Department of Labor.

31           (7) One State employee appointed by the Speaker of the House of  
32 Representatives.

33           (8) One State employee appointed by the President Pro Tempore of the  
34 Senate.

35           (9) One State employee appointed by the Governor upon the  
36 recommendation of the State Employees Association of North Carolina,  
37 Inc.

38           (b) The duties of the Review Committee shall include:

39           (1) Responsibility for receiving from the various agency coordinators  
40 recommendations on suggestion and innovation implementation plans.

41           (2) Determining the impact of a suggestion or innovation on State  
42 government services by judging the monetary savings, increased

1 revenues, or improved quality of services generated by a suggestion or  
2 innovation.

3 (3) Ensuring that the State employee incentive bonus process does not  
4 result in a negative impact on services provided to taxpayers by State  
5 government.

6 (c) All administrative, management, clerical, and other functions and services  
7 required by the Review Committee shall be supplied by the Department of  
8 Administration. The Department of Administration and the Review Committee shall  
9 report annually to the Joint Legislative Commission on Governmental Operations on the  
10 administration of the State Employee Incentive Bonus Program.

11 **"§ 143-345.15. Effect of decisions regarding bonuses.**

12 All suggestions or innovations submitted by State employees pursuant to this Article  
13 are the property of the State. Decisions regarding the award of bonuses by the agency  
14 coordinator and the Review Committee are final and are not subject to review under the  
15 contested case procedures of Chapter 150B of the General Statutes."

16 Section 2. G.S. 143-340(1) reads as rewritten:

17 "(1) ~~To establish a meritorious service award system for State employee~~  
18 ~~suggestions which may include cash awards to be paid from savings~~  
19 ~~resulting from the adoption of employee suggestions, but in no case~~  
20 ~~shall the cash award exceed twenty five percent (25%) of the savings~~  
21 ~~resulting during the first year following adoption or a maximum of five~~  
22 ~~thousand dollars (\$5,000). the State Employee Incentive Bonus Program~~  
23 ~~pursuant to Article 36A of this Chapter, with the authority to adopt all~~  
24 ~~rules necessary to implement the program."~~

25 Section 3. This act shall not be construed to obligate the General Assembly to  
26 make any appropriation to implement the provisions of this act. Each State agency to  
27 which this act applies shall implement the provisions of this act from funds otherwise  
28 appropriated to that State agency.

29 Section 4. This act becomes effective July 1, 1997, and applies to all  
30 suggestions and innovations pending on that date that were submitted under the former  
31 State Employee Suggestion Program as authorized by G.S. 143-340(1) on or before June  
32 30, 1997.