

**CHAPTER 56-A**

**EMPLOYEE AWARDS**

**§651. Employee Suggestion System**

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Employee Suggestion System Board established in subsection 3. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

B. "System" means the Employee Suggestion System established in subsection 2. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]  
[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**2. System established.** The Employee Suggestion System is established to encourage by means of cash or honorary awards state employees to find substantial savings and efficiencies in state operations.  
[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**3. Board.** The Employee Suggestion System Board is established and consists of the Commissioner of Administrative and Financial Services and 2 other departmental commissioners appointed by the Governor.

A. The board shall elect a chair annually. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

B. The Commissioner of Administrative and Financial Services is responsible for administering the system and shall assign an employee, who may have other assignments not related to the system, to manage the system on a day-to-day basis. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

C. The board may adopt routine technical rules in accordance with chapter 375, subchapter 2-A to implement the system, including criteria for suggesting ideas and making awards, and to establish fees as the board considers necessary to ensure timely and responsive assistance from all state agencies. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

D. The board has the sole and exclusive authority to make cash or honorary awards under the system. All decisions of the board are final and are not subject to judicial review. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

E. The board shall forward all suggestions to the Office of Program Evaluation and Government Accountability, as established by Title 3, section 991, a minimum of 2 times per year. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]  
[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**4. Ineligible employees.** The board may exclude certain levels of positions from participation in the system. Persons in positions enumerated in chapter 71 or in Title 2, sections 6 to 6-E are not eligible to receive cash awards under the system.  
[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**5. Maximum cash award; cost savings.** The maximum cash award approved for a suggestion that is implemented and results in cost savings is limited to 10% of the first year's estimated All Other savings or \$2,000, whichever is less. Except as provided in subsection 6, an award may not be made for any suggested savings of less than \$250. Any cash awards approved by the board must be charged

against the fund or funds to which estimated savings apply. If it is not possible to reasonably estimate the savings, the board may pay an initial amount and pay an additional amount at the end of the first year or may pay the full amount at the end of the first year.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**6. Improvements to service without cost savings.** Upon the recommendation of the agency head of the affected program, the board may approve an award not to exceed \$100 for a suggestion that results in improved services or operation of the program but does not result in identifiable cost savings. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**7. Reductions in service.** An award may not be approved by the board for a suggestion that generates savings through a reduction of services, unless it is an identified duplication of services. [PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**8. Confidentiality.** The name of the person with the suggestion must be treated confidentially by the board and any other person handling the suggestion until a final decision is made by the board, if requested by the person with the suggestion.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**9. Assistance.** Any department or other organization of State Government shall provide whatever assistance the board requests for evaluating suggestions or other purposes.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**10. Administration.** Notwithstanding any other law, whenever an award is made from a fund, an equal amount must be transferred from the same fund to a special revenue fund available to the Department of Administrative and Financial Services to be used to administer the system.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**11. Promotion.** The board shall ensure that all employees are aware of the system and the potential award amounts.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

**12. Discrimination prohibited.** A supervisor or other person in authority may not discriminate against an employee regarding the employee's compensation terms, conditions, location or privilege of employment because the employee acting in good faith has suggested savings or efficiencies under this chapter. The remedies available under Title 26, chapter 7, subchapter 5-B apply to a person subject to any such discrimination.

[PL 2003, c. 692, §1 (NEW); PL 2003, c. 692, §2 (AFF).]

## SECTION HISTORY

PL 2003, c. 692, §1 (NEW). PL 2003, c. 692, §2 (AFF).

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