

Amendment to SB 201-FN

1 Amend RSA 99:9-a as inserted by section 1 of the bill by replacing it with the following:

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3 99:9-a Conversion to Classified Exempt Salary Positions.

4 I. The department of administrative services, through its division of personnel, is authorized
5 to convert non-term unclassified positions or qualifying classified positions to classified exempt
6 salary positions.

7 (a) Such conversions are only applicable to positions that meet the requirements and
8 definitions of exempt under the Fair Labor Standards Act (FLSA) and the personnel rules.

9 (b) All conversions shall be voluntary for employees in qualifying filled positions or may
10 occur when a qualifying position becomes vacant.

11 II. The appointing authority at each executive department and executive agency may
12 request that the director of personnel convert any unclassified position that serves at the pleasure of
13 that appointing authority or any qualifying classified position to an exempt salary position in the
14 classified system.

15 (a) Upon receipt of a request under paragraph II, the director of personnel shall convert
16 a non-term unclassified position or qualifying classified position to an exempt salary position, if the
17 requirements of paragraph I(a) and (b) are met.

18 (b) Any position converted to an exempt salary position under paragraph II(a) shall be
19 placed in the appropriate standard occupational classification group based on its duties and
20 responsibilities.

21 (c) Any unclassified incumbent in a position that gets converted shall be placed at the
22 step with a pay rate closest to the pay rate of the step they were at in the unclassified position,
23 ensuring no reduction in pay.

24 (d) Any classified incumbent in a position that gets converted shall be placed at the step
25 with a pay rate closest to the pay rate of the step they were at, ensuring no reduction in pay.