

Introduced by

1 A BILL for an Act to amend and reenact section 54-06-30 of the North Dakota Century Code,  
2 relating to the state employee performance bonus program.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-06-30 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-06-30. State employee performance bonus program - Criteria - Limitations.**

7 State agencies may provide monetary performance bonuses to their employees under this  
8 section.

- 9 1. State agencies may pay bonuses under this section if:
- 10 a. The agency has had a written employee performance evaluation policy in
  - 11 place for more than one year before paying the bonus;
  - 12 b. The written employee performance evaluation policy required in subdivision a
  - 13 must have at least three levels of performance criteria; and
  - 14 c. The agency performance bonus program adopted under this section must be
  - 15 a written policy and must be communicated to each employee in the agency.
  - 16 Development of the written policy must include input from employees.
- 17 2. State employees are eligible to receive a bonus under this section only if:
- 18 a. The employee has held a position in state government for at least one year
  - 19 before a bonus is paid;
  - 20 b. The employee's overall annual performance evaluation satisfies the agency's
  - 21 performance bonus program criteria for receiving a bonus; and
  - 22 c. The employee is a full-time or part-time regular nonprobationary employee
  - 23 holding a regularly funded nontemporary position.

- 1           3. An employee may not receive more than one performance bonus per fiscal year  
2           and may not receive more than one thousand dollars in bonuses per ~~biennium~~  
3           fiscal year.
- 4           4. ~~Agencies~~ Except as provided in this subsection, agencies may pay bonuses under  
5           this section during a fiscal year to not more than the number of employees equal to  
6           twenty-five percent of the employees employed by the agency on July first at the  
7           beginning of each state fiscal year. However, upon a showing of special  
8           circumstances, North Dakota human resource management services may approve  
9           pay bonuses above the twenty-five percent limitation in this subsection. North  
10          Dakota human resource management services shall report any exceptions granted  
11          under this subsection to the budget section of the legislative council. Each agency  
12          must fund the performance bonus program from within its agency budget for  
13          salaries and wages.
- 14          5. Bonuses paid under this section may not be included in an employee's base salary  
15          for purposes of calculating any wage or salary increase.
- 16          6. Bonuses paid under this section are not fiscal irregularities under section  
17          54-14-03.1.