COMMISSION ON LEGAL COUNSEL FOR INDIGENTS
RECRUITMENT AND RETENTION BONUS POLICY

Approved RH 8-29-07

The Commission may provide bonuses to recruit or retain classified state employees in hard-to-fill positions or occupations.

A recruitment bonus is a lump-sum payment, which is not a part of an employee's base salary, paid to recruit a new employee into a hard-to-fill classified position. A recruitment bonus may be a sign-on or hiring bonus paid to a new employee or a referral bonus paid to a current agency employee to recruit a new employee. A recruitment bonus is subject to state and federal taxes and withholding.

A recruitment bonus must be used only in extraordinary circumstances where there is a need to fill a position and usual recruitment methods are demonstrated to be unsatisfactory. The following factors should be considered in determining whether a recruitment bonus is appropriate:

1. Recent efforts to fill the position or a substantially similar position, including the number of qualified applicants, recruitment methods utilized, why job offer was declined, etc.;
2. Turnover history, number of existing vacancies, frequency, length of vacancy;
3. Labor market data factors such as information indicating the availability in the labor market of the skills/professions being recruited, current market rate of pay for occupation and unemployment rate;
4. Special qualifications such as education, experience, skills or licensure/ certification, which make the position more difficult to fill; and
5. Availability of salary dollars within the division for this purpose.

Before a recruitment bonus will be paid, the new employee must sign a written agreement to complete one year of full-time employment with the agency. If the employee does not complete the one-year of full-time employment, the employee who received the bonus must repay the portion of the bonus attributable to the incomplete period. For example, if an employee completes only six months of full-time employment, the employee who received the bonus would be responsible to repay fifty percent of the recruitment bonus. An employee will only receive credit for complete months of service.

A recruitment bonus payment amount may not exceed one month's salary of the person being hired,

A retention bonus is a lump-sum payment, which is not a part of an employee's base salary, paid to retain an employee in a hard-to-fill classified position. A retention bonus is subject to state and federal taxes.

A retention bonus must be used only in situations where recruitment has been difficult, the risk of losing an employee with rare skills is high, or where it is necessary to meet a critical deadline or complete a critical project. This is not to be used for counter-offers.

Before a retention bonus will be paid, the employee must sign a written agreement to remain in the employee's current full-time position for one year. If the employee does not remain in the current full-time position for an entire year, the employee must repay the portion of the bonus attributable to the incomplete period. For example, if an employee completes only six months of full-time employment in the position, the employee would be responsible to repay fifty percent of the retention bonus. An employee will only receive credit for complete months of service.

A retention bonus payment amount may not exceed one month's salary of the employee.

All bonus recommendations will be reviewed by the Executive Director. The Executive Director will be determine whether a bonus will be granted and the bonus amount, so as to maintain consistency throughout the agency, and in consideration of available funding.