

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 150.2

REVISED APRIL 2020

### EMPLOYEE SUGGESTION PROGRAM

1. INTRODUCTION. The Merit Award Program (MAP) was established by the California Legislature in 1950 as an incentive award system to recognize employee contributions to state government and its operations. The Employee Suggestion Program (ESP) is an ongoing program within the MAP that rewards state employees for their innovative ideas which result in a direct benefit to the state's operations.

2. AUTHORITY. The legislative authority for the MAP is created by the California Government Code (GC), Title 2, Government of the State of California, Sections 18502, 19815.4(d), and 19823. As such, the California Department of Human Resources (CalHR) is mandated by law to be the statutory body tasked with statewide oversight of the MAP and the ESP. Information provided in this General Order is based on those aforementioned laws as well as the regulations as codified in California Code of Regulations (CCR), Title 2, Administration, Sections 599.655 through 599.664. The CalHR has delegated to each state department responsibility for the review and disposition of suggestions submitted by state employees under the regulations applicable to the state's ESP. In addition to the laws and regulations, please refer to the rules as specified in the CalHR Benefits Administration Manual, Merit Award Program, Sections 2101 through 2109. Reference to the MAP is also contained in the Department of General Service's State Administrative Manual, Sections 4700 to 4705.

3. POLICY. The ESP provides an opportunity for active or retired employees to submit constructive ideas which could reduce or eliminate state expenditures or improve operations.

a. The STD. 645, Employee Suggestion, is available to employees and can be accessed on the California Highway Patrol (CHP) Intranet site on the forms page. The form can also be downloaded from the CalHR Internet site at <http://www.calhr.ca.gov/Pages/forms.aspx>.

b. Employee suggestions will be formally acknowledged in writing within 15 working days of receipt. The suggestions will be processed and evaluated in a prompt and thorough manner. For procedures, see paragraph 6.e.

- c. Employees will receive recognition and appropriate awards for adopted suggestions.
- d. Supervisors at all levels should lend their full support and cooperation to the activities of the ESP and should be familiar with the operation of the program.
- e. The Chief of Administrative Services Division (ASD) is the Department's appointed Merit Award Administrator and is responsible for the operation of the ESP.
- f. The Merit Award Administrator appoints an Assistant Merit Award Administrator to coordinate the suggestion program. This program coordinator role is filled by an analyst in ASD. In addition to serving as the program coordinator, the Assistant Merit Award Administrator serves as liaison between the State Merit Award Board and the Department, and is responsible for the assigning, tracking, and processing functions of the suggestion program for CHP. The Assistant Merit Award Administrator will maintain the Employee Suggestion Program Intranet page located on the CHP Intranet site. Refer to the CHP Intranet site under Organization, Assistant Commissioner, Staff, Administrative Services Division, Employee Suggestion Program.
- g. The Commissioner is authorized to approve monetary awards up to \$5,000.
- h. The departmental Assistant Merit Award Administrator shall submit to the State Merit Award Board, no later than July 31 of each year, a report on the number of suggestions received, denied, and/or adopted, including the total amount of awards and savings, during the previous fiscal year. This report shall not include time devoted to the evaluation of the suggestions.

4. ELIGIBILITY OF A SUGGESTION.

- a. In accordance with CCR, Title 2, Section 599.659, a suggestion which describes a specific problem, offers a workable solution, and is intended to be of benefit to the operations or safety of the State of California will be accepted for evaluation, except for the following suggestions which:
  - (1) Are currently being evaluated or have been evaluated within the last year through the ESP.
  - (2) Recommend new or increased taxes or fees.
  - (3) Recommend additional revenues at the expense of a segment of taxpayers, and can be classified as unjust or inequitable.

(4) Recommend a change in the pay or classification of a position or a class, or the establishment of new positions. This area is held to be the continuing responsibility of CalHR and the agency.

(5) Recommend a “study,” “survey,” or “review” with the course of action to be taken in accordance with the findings.

(6) Involve a personal grievance.

(7) Involve terms and conditions of employment which are subject to the collective bargaining process under California GC, Sections 3512 through 3524, commonly known as the Ralph C. Dills Act.

(8) Recommend corrections in spelling, punctuation, grammar, or mathematical calculations. These changes should be communicated through established departmental channels.

## 5. ELIGIBILITY FOR AWARDS.

a. Employee eligibility for awards will be measured in terms of assigned or expected job responsibilities. Eligibility shall be initially determined by the state agency that employed the suggester at the time the suggestion was submitted. An employee is not eligible for an award for a suggestion pertaining to a subject assigned to them for research, development, or solution for which they have a clear and specific responsibility to offer as part of their regular job requirements. In determining normal job responsibilities, the state agency and/or State Merit Award Board will consider the job description and duty statement, performance requirements, supervisors’ interpretations, authority to place suggestions into effect, expectations of the classification job specification, and other factors, such as customary practice, which may have a bearing on the duties expected of the suggester.

b. Employees appointed to Career Executive Assignments, or Exempt classifications, are not considered eligible to receive cash awards under the ESP. These classifications are distinguished from others in the state civil service in that the duties and responsibilities are of a high administrative and top managerial nature. It is an inherent part of the job expectations and duties of employees appointed to such classifications to find efficient ways to improve the operation of state government.

c. In cases where a dispute may arise between the adopting and/or employing state agency and the suggester regarding the suggester’s eligibility to receive an award, the suggestion shall be forwarded to the State Merit Award Board for review. Facts and opinions regarding the eligibility of the suggester will be solicited

from the employing agency for review by the State Merit Award Board in formulating an official recommendation to the Director of CalHR.

d. To be eligible for an award, an employee must propose a change that has a direct effect on the reduction or elimination of state expenditure, or improves the operation or safety of state government. An award will not be granted when a suggestion is adopted as a result of an action which did not result from the suggestion.

e. In accordance with CCR, Title 2, Section 599.660, as a condition of eligibility for an award, each suggester shall execute the following agreement, which appears on the STD. 645 to the left of the suggester's signature block:

"The use by the State of California of my suggestion shall not form the basis of a further claim of any nature upon the State of California by me, my heirs or assigns."

f. To be considered eligible for an award, suggesters whose proposals are implemented prior to the submission of an Employee Suggestion form must submit a form with appropriate verification within six months following the date the suggestion was first put into effect.

## 6. PROCEDURES.

a. The suggester shall print or type their suggestion on the STD. 645. Separate ideas or concepts must be submitted on separate STD. 645 forms. The form can be located on the CHP Intranet site, or the CalHR Internet site at <http://www.calhr.ca.gov/Pages/forms.aspx>.

b. The suggester should research their idea and explain it as clearly and completely as possible. When appropriate, the assistance of a supervisor should be sought to request an example of a successful employee suggestion.

c. Suggestions must be signed; however, the suggester's name may remain confidential during the evaluation process as designated by the employee on the STD. 645. The identity of the suggester will be revealed when the idea has been adopted, as the suggester's job responsibility must be assessed in relation to the suggestion before an award can be made.

d. The completed suggestion form shall be mailed directly to the CHP Assistant Merit Award Administrator, Administrative Services Division, P.O. Box 942898, Sacramento, CA 94298-0001, or submitted electronically to: [EmployeeSuggestionProgram@chp.ca.gov](mailto:EmployeeSuggestionProgram@chp.ca.gov). Suggestions involving multiple departments will be forwarded to CalHR, Merit Award Program Manager, 1515 S Street, North Building, Suite 400, Sacramento, CA 95811-7258.

(1) The Assistant Merit Award Administrator shall disallow suggestions which do not meet eligibility requirements.

(2) If there is controversy regarding eligibility of a suggestion, it shall be referred to the Merit Award Administrator for review of the decision which disallowed the suggestion.

e. The Assistant Merit Award Administrator and/or staff shall receive, record, and acknowledge receipt of suggestions in writing to the suggester within 15 working days of receiving the suggestion. The Assistant Merit Award Administrator shall notify suggesters of any undue delay in the consideration of their suggestions. Each new suggestion will be assigned a number for reference during the review process, and such number shall be included in the acknowledgment to the suggester. The suggester will refer to this number in all communications relating to their suggestion.

f. The Assistant Merit Award Administrator will route the suggestion within ten working days to the appropriate Office of Primary Interest (OPI) and/or other state agency/departments having subject matter expertise for evaluation. The Assistant Merit Award Administrator shall provide the suggester a status report on the progress of the OPI's review at least once every quarter until a final decision is made.

g. Contingent upon the number of suggestion evaluations, the Assistant Merit Award Administrator will schedule completed evaluations for review at meetings of the Departmental Merit Award Board (MAB). The board may accept the OPI evaluations, or may request additional information and further evaluation.

h. Recommendations will be forwarded to the Merit Award Administrator for final action.

i. The Assistant Merit Award Administrator shall notify the suggester of the action taken as soon as a suggestion has received final consideration.

j. If the suggestion is to be adopted, the Assistant Merit Award Administrator will forward the suggestion to the appropriate OPI(s) for implementation. The suggester cannot be awarded for an adopted suggestion until the suggestion is fully implemented.

## 7. CALIFORNIA HIGHWAY PATROL DEPARTMENTAL MERIT AWARD BOARD.

a. The Department has established a standing committee which will review award recommendations as indicated in this order.

(1) The MAB is appointed by the Commissioner and consists of a minimum of 11 members. The members are the Merit Award Administrator, Associate Merit Award Administrator, Assistant Merit Award Administrator, Internal Review Specialist, Departmental Forms Analyst, one representative each from Enforcement and Planning Division, Personnel and Training Division, Information Management Division, and Academy, as well as one sergeant or officer and one nonuniformed employee from different field commands.

(2) The Merit Award Administrator will be one of the voting members of the board and will act as the chairperson. The Associate Merit Award Administrator and the Internal Review Specialist will not be voting members, but will instead serve in advisory roles.

b. With the exception of the Merit Award Administrator, Associate Merit Award Administrator, Assistant Merit Award Administrator, Internal Review Specialist, and Departmental Form Analyst, members of the board will be appointed for two years, and terms of appointment will be staggered to assure the stability and continuity of the board's action. Representatives may be reappointed to another term by their Division, but shall not serve more than two terms. New appointments and reappointments to the board will be acknowledged in writing within 15 working days.

## 8. AWARDS AND PRESENTATIONS.

a. A cash award, not to exceed 20 percent of the net savings, or increased earnings realized by the state agency during the first year following adoption of the suggestion, may be paid to a suggester. Awards will be calculated at five percent of the net savings or increased earnings realized during the first year following adoption of the suggestion where the proposal required substantial refinement for implementation, and/or where an alternative solution was adopted as a result of the proposal, and/or where the proposal resulted in a one-time savings or benefit.

b. Per CCR, Title 2, Section 599.644(a), the award shall not be less than \$50, and not more than \$50,000. Where provisions of this regulation would otherwise result in an award of greater than \$50,000, the award shall be \$50,000. Awards of more than \$5,000 will be granted only upon approval by the State Merit Award Board and concurrent resolution of the Legislature. Before an award is granted for an adopted suggestion, the suggestion must be implemented.

c. Where annual net savings or increased revenue cannot be determined (i.e., intangible), or are calculated as less than \$500, a cash award may be recommended in accordance with the "Improved Procedures" or "Improved Safety Scales." Instructions for calculating awards where benefits are intangible can be located on the reverse of the STD. 645A, Suggestion Evaluation Report. This form

is located on the CHP Intranet site or the CalHR Internet site at <http://www.calhr.ca.gov/Pages/forms.aspx>.

d. Per the STD. 645A, "awards for 'improved procedures' may not be included in combination with 'improved safety' since improved procedure has been incorporated in the Improved Safety Scale."

e. Except for awards for improved safety, a cash award of \$1,000 or more shall require the Department to identify such savings (i.e., reduced expenditures or increased revenues) and submit to CalHR a CalHR 134, Merit Award Board. This form will identify the program or fund where the savings will be realized. Computations will be attached to support the amount of savings. The form is located on the CHP Intranet site or can be downloaded from the CalHR Internet site at <http://www.calhr.ca.gov/documents/calhr-134.pdf>.

f. When two or more suggesters submit a jointly conceived idea for consideration, they will share equally in any award.

g. When a suggestion is adopted by more than one state agency, the award shall be prorated between or among the adopting agencies. The agency that currently employs the suggester shall be responsible for prorating the award and requesting reimbursement from the other adopting agencies. When the adopting agencies recommend awards for improved safety or improved procedures, the employing agency shall arrive at one award amount. Disputes between or among agencies regarding prorating or reimbursement shall be referred to the State Merit Award Board.

h. Commanders are encouraged to recognize an employee's achievement in receiving a cash award payment resulting from an adopted suggestion. The commander will be notified when an employee is to receive an award. Appropriate recognition ceremonies should be arranged for presentation of the award at the local level.

i. When an approved suggestion results in a significant monetary award to an employee, the employee will be requested to attend formal award presentation ceremonies at headquarters. The employee's commander is encouraged to accompany the employee and participate in the ceremonies.

9. APPEAL AND RECONSIDERATION. A suggester may request in writing that a suggestion be reconsidered for a merit award as prescribed below.

a. When a suggestion has been denied because the employing department determined that the suggestion was a normal part of the suggester's job responsibilities, a suggester may appeal. The appeal must be made to the

Department's Assistant Merit Award Administrator within one year following the date of the Department's letter of rejection. If irresolvable at the departmental level, the appeal package may be submitted to the State Merit Award Program at CalHR for review and decision by the State Merit Award Board.

b. If an employee is dissatisfied with a rejection (nonadopted suggestion), the employee may ask for reconsideration of the previous decision within one year following the date of the Department's letter of nonadoption. Additional or supplemental information which was either not covered in the original proposal, or which identifies an error in the evaluation report, must be submitted. Requests for reconsideration will not be accepted if the employee simply disagrees with the report without giving additional reasons. The request for reconsideration should be sent to the Department's Assistant Merit Award Administrator.

c. If a rejected suggestion is subsequently adopted and implemented, the suggester may request in writing that the Department reconsider it for a merit award. The request must be submitted within three years following the date of the Department's letter not to adopt the suggestion. The appeal should be submitted to the Department's Assistant Merit Award Administrator. The request for reconsideration does not in itself ensure that an employee automatically will be eligible for an award. The Assistant Merit Award Administrator may request that the suggester and evaluating section or unit provide all pertinent information. It must be established that the suggestion was in some degree responsible for implementation before an award can be made.

d. If an employee disagrees with a recommended award, the suggester may request that the Department's recommendation be reconsidered, provided that the request includes specific reasons for the disagreement or identifies an error in the Department's evaluation report of the cost savings and/or benefits. The request for reconsideration should be submitted to the Department's Assistant Merit Award Administrator.

OFFICE OF THE COMMISSIONER

OPI: 070