

ADOPT Liq 800 to read as follows:

CHAPTER Liq 800 EMPLOYEE INCENTIVE PROGRAM

Statutory Authority: Chapter 224:91-Laws of 2011, Liquor Commission; Employee Incentive Program

PART Liq 801 PURPOSE

Liq 801.01 Chapter 224:91-Laws of 2011, Liquor Commission; Employee Incentive Program, provides that the:

(a) The commission may develop and implement an employee incentive system for monetary incentives for its store managers and employees to reward superior customer service, organization and appearance of retail stores, creativity and attractiveness of displays, workplace safety records, and other relevant and objective criteria related to customer service and sales.

(b) The commission, at its discretion, shall utilize the employee incentive program set forth in these rules.

(c) When the employee incentive program is active during a given quarter, commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program for that quarter.

PART Liq 802 SCOPE

Liq 802.01 Scope

(a) The commission shall apply the employee incentive program based on geographic regions, each supervised and supported by a regional store superior.

(b) The commission shall make payment when the total sales in the geographic area increases over the prior fiscal year for the same period by at least one-half percent.

(c) The commission shall calculate the incentives quarterly by comparison to the same quarter of the prior fiscal year.

(d) The commission shall identify the quarters based on the pay periods of the state of New Hampshire's payroll schedule for the given year.

PART Liq 803 PERCENTAGE

Liq 803.01 Percentage

(a) The commission shall determine the amount of the incentive based on the percentage of the total retail sales increase over the prior fiscal year for the same quarter.

(b) The commission shall allocate ten percent of a geographic area's qualifying increase in sales over the same quarter of the prior fiscal year and use this allocation as the fund from which it will make incentive payments to eligible employees for that quarter.

(c) The commission shall cap the allocation of ten percent of the total retail sales increase at a 5 percent increase over the quarter of the prior fiscal year.

(d) The commission shall determine each employee's individual incentive payment based on the number of employees working in the geographic region that quarter and each employee's hours worked, with all full-time employees in the region receiving the same payment based on 40 hours per-week, and part-time employees receiving payments based on their actual hours worked during the quarter.

#### PART Liq 804 ELIGIBILITY

##### Liq 804.01 Eligibility

(a) Full-time employees shall work no less than 520 hours in a quarter and not be out on paid/unpaid leave for 30 continuous days during the quarter.

(b) Part-time employees shall work no less than 273 hours in a quarter and not be out for 30 continuous days during the quarter.

(c) Full-time and part-time employees that work in the same geographic region for the entirety of the quarter shall be eligible for incentive pay.

(d) If the employee leaves the commission prior to the conclusion of the quarter, he or she shall not be eligible to receive incentive pay.

(e) If an employee changes his or her primary retail store location, either by choice or at the direction of the commission, the employee shall receive the incentive payment for the geographic region that they began the quarter in so long as the employee spent at least 8 weeks of the quarter at issue in the geographic region obtaining the incentive.

(f) When an employee moves from one geographic region to another over the course of a quarter and both geographic regions qualify for incentive pay that quarter, the employee shall receive the higher of the two incentive payments.

(g) When the commission promotes an employee from part-time to full-time, the commission will calculate that employee's incentive payment for the quarter in which the promotion occurred based on actual hours worked as a part-time employee and at 40-hours per-week following the promotion.

#### PART Liq 805 PAYMENT

##### 805.01 Payment

(a) The commission shall use payroll records to compute each employees' quarterly hours worked for the incentive program.

(b) The commission shall complete this calculation following the issuance of the paycheck representing the last pay date of the quarter.

(c) Overtime will not be included in the compilation of time worked.

**APPENDIX**

<b>RULE</b>	<b>STATUTE</b>
Liq 801	Chapter 224:91
Liq 802	Chapter 224:91
Liq 803	Chapter 224:91
Liq 804	Chapter 224:91
Liq 805	Chapter 224:91