



# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791

JOHN J. BARTHELMES  
COMMISSIONER

October 1, 2012

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

## Requested Action

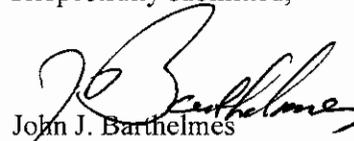
In accordance with the provisions of RSA 21-I:43-a, authorize the Department of Safety, Director of the State Police, to restore 158 hours and 6 minutes of sick leave to Trooper Jimmy W. Crossley who suffered a line of duty injury and was unable to perform his normal or routine duties from October 13, 2010 through December 20, 2010.

## Explanation

On June 10, 2010, Trooper Jimmy W. Crossley was on duty and was assisting Groveton Police Department with the service of a felony warrant. This service concluded with the apprehension of a felon. During the arrest Trooper Crossley injured his right shoulder due to the felon resisting arrest. Trooper Crossley remained working until October 13, 2010, which is when his injury that he sustained during the arrest required surgery to repair the damage. I have determined that Trooper Jimmy W. Crossley suffered a line of duty injury and was unable to perform his duties for the period of October 13, 2010 through December 20, 2010. This resulted in the use of his sick leave.

Trooper Jimmy W. Crossley's convalescent time required the use of 158 hours and 6 minutes sick leave that we are seeking authorization to have restored to him.

Respectfully submitted,

  
John J. Barthelmes  
Commissioner of Safety

STATE OF NEW HAMPSHIRE  
NH Department of Safety  
Inter-Department Communication

**FROM:** Sharon Smith  
Payroll Supervisor

**DATE:** 3/2/11

**SUBJECT:** Sick Leave Usage

**AT:** Payroll Office

**TO:** Colonel Robert L. Quinn  
Division of State Police

Jimmy W. Crossley was out on Workers Compensation for the period of 10/13/10 through 12/20/10.

He utilized 158 hours and 6 minutes of his sick leave.

Should you have any further questions, please do not hesitate to contact me.

Thank you.



Sharon Smith  
Payroll Supervisor  
NH Department of Safety  
271-2567

**Reference: RSA 21-I:-a**

CC: Employee:  
Employee file: ✓

SS/bb

# TITLE I

## THE STATE AND ITS GOVERNMENT

### CHAPTER 21-I

#### DEPARTMENT OF ADMINISTRATIVE SERVICES

#### Personnel

#### Section 21-I:43-a

**21-I:43-a Compensation for State Employees Injured in Line of Duty.** – Any injury received by any state employee who is injured in the line of duty by a hostile act, or by an act caused by another during the performance of duties which are considered dangerous in nature, that requires the employee to be hospitalized or renders the employee temporarily unable to perform the duties of his or her position shall not be charged against annual leave or sick leave for the time lost due to the injury. During such time, the employee shall remain on the active payroll. In this event, no employee shall be terminated from state service until he or she has applied for disability retirement and a final decision on the application is made by the board of trustees of the New Hampshire retirement system and appeals of such decision, if any, are finalized; provided, that the employee shall make such application within 18 months of the injury contemplated by this section. The executive head of the employee's agency shall make the determination as to whether an injury is in the line of duty and due to a hostile or overt act, or an act caused by another during the performance of duties which are considered dangerous in nature, and, after approval by the governor and council, the determination shall be final. During the time in which the injured employee remains on active payroll at full base salary pursuant to this section, his or her state compensation shall not be offset by state workers' compensation payments and he or she shall not receive state workers' compensation payments to supplement his or her full base salary. Nothing in this section shall prohibit medical payments or final settlements.

**Source.** 2001, 291:1, eff. July 1, 2001. 2008, 343:1, eff. Jan. 1, 2009.