

Introduced 6-7-2021
Public Hearing 6-21-2021
Council Action 7-16-2021
Executive Action 7-7-2021
Effective Date 7-10-2021

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 10

Bill No. 48 -2021

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Pay Plan for Howard County; providing pay scales for certain employees based on certain recently negotiated agreements; amending certain pay scales; amending overtime and compensatory time provisions relative to certain police employees; providing for the application of this Act; and generally relating to the Pay Plan for Howard County.

Introduced and read first time June 7, 2021. Ordered posted and hearing scheduled.
By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on June 21, 2021.
By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on July 6, 2021 and Passed , Passed with amendments _____, Failed _____.
By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 7 day of July, 2021 at 12 a.m./p.m.
By order Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive July 7, 2021
Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Sections 706 and 707 of the Howard County Charter and Section 1.301 of
2 the Howard County Code provide for the adoption of and amendment to the Pay Plan for
3 Howard County, which allocates each class of positions to the appropriate pay grade, and which
4 establishes rules for administration of the Pay Plan for positions within County government; and
5

6 **WHEREAS**, under Section 1.301(c) of the County Code the Pay Plan, and any
7 amendments thereto, are adopted by the County Council as attachments to the Council Bill
8 through which the County Council exercises its legislative action on the Pay Plan; and
9

10 **WHEREAS**, this amendment to the Pay Plan:

- 11 1. Amends certain rates applicable to Police Lieutenants as reflected in the PM
12 Schedule;
- 13 2. Amends a pay scale and adds a pay scale for members of Local 2000 that were
14 recently negotiated with members of Local 2000;
- 15 3. Amends and adds pay scales for Fire Management; and
- 16 4. Amends overtime and compensatory time provisions applicable to Police Services
17 Support Supervisors.

18
19 **NOW, THEREFORE,**
20

21 ***Section 1. Be It Enacted by the County Council of Howard County, Maryland that the Pay Plan***
22 ***for Fiscal Year 2022 is amended as follows and as shown in the attached Exhibit:***

- 23 1. *The Police Management Schedule, effective June 21, 2021 is amended;*
- 24 2. *The Police Management Schedule, effective December 20, 2021 is amended;*
- 25 3. *The F Schedule, effective June 21, 2021, is amended;*
- 26 4. *The F Schedule, effective December 20, 2021 is adopted;*
- 27 5. *The FM Schedule, effective June 21, 2021 is amended;*
- 28 6. *The FM Schedule, effective December 20, 2021 is adopted; and*
- 29 7. *Certain Overtime and Compensatory Time provisions are amended.*

1 **Section 2. And Be It Further Enacted** by the County Council of Howard County, Maryland,
2 *that, subject to specific effective dates for Pay Scales as included in the Pay Plan, the provisions*
3 *of this Act shall apply on July 1, 2021.*

4

5 **Section 3. And Be It Further Enacted** by the County Council of Howard County, Maryland,
6 *that this Act shall become effective 61 days after its enactment.*

PM Schedule
(Police Management)

Rates Eff. [[December 21, 2020]] JUNE 21, 2021

Steps	1	2	3	4	5	6	7	8	9	10	L1YR16	L2YR17	L3YR18	L4YR19	L5YR20	L6YR21
mos	72	84	96	108	120	132	144	156	168	180						
Lieutenant (PM2)	\$43.68	\$45.18	\$46.80	\$48.47	\$50.11	\$51.94	\$53.70	\$55.60	\$57.56	\$59.53	\$61.62	\$63.79	\$66.00	\$68.32	\$70.71	[[[\$73.00]] 73.54
Captain (PM3)	mos.	84	96	108	120	132	144	156	168	180						
		\$54.01	\$55.91	\$57.93	\$59.88	\$62.06	\$64.19	\$66.43	\$68.79	\$71.15	\$73.64	\$76.21	\$78.89	\$81.64	\$84.49	\$87.24
Steps		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Major (PM 4)		\$60.74	\$62.91	\$65.16	\$67.37	\$69.82	\$72.22	\$74.73	\$77.39	\$80.05	\$82.83	\$85.74	\$88.74	\$91.86	\$95.06	\$98.16

Note: A Police Lieutenant or Captain shall receive, upon completion of years 16, 17, 18, 19 and 20 of Howard County Service, longevity pay equal to 3.5% of the employees' previous base rate and after 21 years a 3.25% longevity increase.

PM Schedule
(Police Management)

Rates Eff. December 20, 2021

Steps	1	2	3	4	5	6	7	8	9	10	L1YR16	L2YR17	L3YR18	L4YR19	L5YR20	L6YR21
mos	72	84	96	108	120	132	144	156	168	180						
Lieutenant (PM2)	\$44.55	\$46.08	\$47.74	\$49.44	\$51.11	\$52.98	\$54.77	\$56.71	\$58.71	\$60.72	\$62.85	\$65.07	\$67.32	\$69.69	\$72.12	[[[\$74.46]] 75.00
Captain (PM3)	mos.	84	96	108	120	132	144	156	168	180						
		\$55.09	\$57.03	\$59.09	\$61.08	\$63.30	\$65.47	\$67.76	\$70.17	\$72.57	\$75.11	\$77.73	\$80.47	\$83.27	\$86.18	\$88.98
Steps		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Major (PM 4)		\$61.95	\$64.17	\$66.46	\$68.72	\$71.22	\$73.66	\$76.22	\$78.94	\$81.65	\$84.49	\$87.45	\$90.51	\$93.70	\$96.96	\$100.12

Note: A Police Lieutenant or Captain shall receive, upon completion of years 16, 17, 18, 19 and 20 of Howard County Service, longevity pay equal to 3.5% of the employees' previous base rate and after 21 years a 3.25% longevity increase.

F Schedule
International Association of Firefighters Local 2000
Rates Effective [[December 21, 2020]] JUNE 21, 2021

F Schedule Pay Grade	Minimum Base Pay	Maximum Base Pay
D 40 Hours	\$26.41	\$27.22
D 48 Hours	\$22.01	\$22.68
E 40	\$27.50	\$40.87
E 42	\$26.19	\$38.93
E 48	\$22.92	\$34.06
F 40	\$30.50	[[[\$45.25]] \$46.70
F 42	\$29.05	[[[\$43.19]] \$44.48
F 48	\$25.42	[[[\$37.79]] \$38.92
G 40	\$30.98	[[[\$45.83]] \$47.18
G 42	\$29.51	[[[\$34.65]] \$44.94
G 48	\$25.82	[[[\$38.19]] \$39.32
H 40	\$33.78	[[[\$50.20]] \$51.70
H 42	\$32.17	[[[\$47.81]] \$49.23
H 48	\$28.15	[[[\$41.83]] \$43.08
I 40	\$34.26	[[[\$50.68]] \$52.18
I 42	\$32.63	[[[\$48.26]] \$49.69
I 48	\$28.55	[[[\$42.23]] \$43.48
J 40	\$37.42	[[[\$55.67]] \$59.05
J 42	\$35.63	[[[\$53.02]] \$56.24
J 48	\$31.18	[[[\$46.39]] \$49.21

F SCHEDULE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 2000
 RATES EFFECTIVE DECEMBER 20, 2021

F SCHEDULE PAY GRADE	MINIMUM BASE PAY	MAXIMUM BASE PAY
D 40 HOURS	\$26.81	\$27.62
D 48 HOURS	\$22.34	\$23.02
E 40	\$27.91	\$41.48
E 42	\$26.58	\$39.51
E 48	\$23.26	\$34.57
F 40	\$30.96	\$47.40
F 42	\$29.49	\$45.14
F 48	\$25.80	\$39.50
G 40	\$31.44	\$47.88
G 42	\$29.94	\$45.60
G 48	\$26.20	\$39.90
H 40	\$34.38	\$52.48
H 42	\$32.65	\$49.98
H 48	\$28.57	\$43.73
I 40	\$34.76	\$52.96
I 42	\$33.11	\$50.44
I 48	\$28.97	\$44.13
J 40	\$37.98	\$59.94
J 42	\$36.17	\$57.09
J 48	\$31.65	\$49.95

FM Schedule
(Fire Management)

Rates Eff. ~~[[December 21, 2020]]~~ JUNE 21, 2021

Steps	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
months	66	78	90	102	114	126	138	150	162	174	186	210	234	258	270
Captain															
40 hrs	\$41.84	\$43.12	\$44.41	\$45.80	\$47.21	\$48.64	\$50.15	\$51.64	\$53.17	\$54.80	\$56.47	\$58.21	\$59.95	[[\$61.79]] \$62.99	\$64.87
48 hrs	\$34.87	\$35.93	\$37.01	\$38.17	\$39.34	\$40.53	\$41.79	\$43.03	\$44.31	\$45.67	\$47.06	\$48.51	\$49.96	[[\$51.49]] \$52.49	\$54.06
42 HRS	\$39.85	\$41.06	\$42.30	\$43.62	\$44.96	\$46.32	\$47.76	\$49.18	\$50.64	\$52.19	\$53.78	\$55.44	\$57.10	[[\$58.85]] \$59.99	\$61.78
months	78	90	102	114	126	138	150	162	174	186	198	222	[[246]] 234	[[270]] 258	270
Batt Chief															
40 hrs	\$46.43	\$47.74	\$49.24	\$50.71	\$52.27	\$53.86	\$55.56	\$57.20	\$58.94	\$60.71	\$62.59	\$64.49	\$66.42	[[\$68.44]] \$67.62	\$69.65
48 hrs	\$38.69	\$39.78	\$41.03	\$42.26	\$43.56	\$44.88	\$46.30	\$47.67	\$49.12	\$50.59	\$52.16	\$53.74	\$55.35	[[\$57.03]] \$56.35	\$58.04
42 HRS	\$44.22	\$45.46	\$46.89	\$48.30	\$49.78	\$51.29	\$52.91	\$54.48	\$56.14	\$57.82	\$59.61	\$61.42	\$63.26	[[\$65.18]] \$64.40	\$66.33
months	90	102	114	126	138	150	162	174	186	198	210	234	258	[[282]] 270	
Asst Chief															
40 hrs	\$53.75	\$55.41	\$57.08	\$58.80	\$60.63	\$62.40	\$64.33	\$66.30	\$68.29	\$70.41	\$72.54	\$74.70	[[\$76.98]] \$78.18	[[\$79.32]] \$80.53	

[[Longevity Pay: Employees, paid according to the FM Pay Schedule, who have completed 252 months of creditable service shall begin receiving Longevity Pay at the annualized rate of \$2,500.]]

FM SCHEDULE
(FIRE MANAGEMENT)
RATES EFF. DECEMBER 20, 2021

STEPS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
MONTHS	66	78	90	102	114	126	138	150	162	174	186	210	234	258	270
CAPTAIN															
40 HRS	\$42.47	\$43.76	\$45.08	\$46.49	\$47.92	\$49.37	\$50.90	\$52.42	\$53.96	\$55.63	\$57.32	\$59.09	\$60.85	\$63.94	\$65.84
48 HRS	\$35.39	\$36.47	\$37.57	\$38.74	\$39.93	\$41.14	\$42.42	\$43.68	\$44.97	\$46.36	\$47.77	\$49.24	\$50.71	\$53.28	\$54.87
42 HRS	\$40.45	\$41.68	\$42.94	\$44.27	\$45.63	\$47.02	\$48.48	\$49.92	\$51.39	\$52.98	\$54.59	\$56.27	\$57.95	\$60.89	\$62.71
MONTHS	78	90	102	114	126	138	150	162	174	186	198	222	234	258	270
BATT CHIEF															
40 HRS	\$47.12	\$48.46	\$49.98	\$51.47	\$53.05	\$54.66	\$56.39	\$58.07	\$59.83	\$61.62	\$63.53	\$65.46	\$67.42	\$68.64	\$70.69
48 HRS	\$39.27	\$40.38	\$41.65	\$42.89	\$44.21	\$45.55	\$46.99	\$48.39	\$49.86	\$51.35	\$52.94	\$54.55	\$56.18	\$57.20	\$58.91
42 HRS	\$44.88	\$46.15	\$47.60	\$49.02	\$50.53	\$52.06	\$53.70	\$55.30	\$56.98	\$58.69	\$60.50	\$62.34	\$64.21	\$65.37	\$67.33
MONTHS	90	102	114	126	138	150	162	174	186	198	210	234	258	270	
ASST CHIEF															
40 HRS	\$54.56	\$56.24	\$57.94	\$59.68	\$61.54	\$63.34	\$65.29	\$67.29	\$69.31	\$71.47	\$73.63	\$75.82	\$79.35	\$81.74	

Overtime and Compensatory Time.

- (a) *Paid Leave is Time Worked.* For the purpose of computing overtime or compensatory time, paid leave is considered time worked.
- (b) *Subject to Available Funds.* In order to pay overtime rather than grant compensatory time, a department must have sufficient budgeted funds available.
- (c) *Work Periods Adjusted.* If an employee works longer on any given day than the employee's regularly scheduled workday, the appointing authority may adjust the remainder of the employee's work period so that the employee does not work more than his/her regularly scheduled hours of work during that work period.
- (d) *Employees Covered by Collective Bargaining Agreements.* Employees covered by collective bargaining agreements shall be paid overtime pursuant to the provisions of the collective bargaining agreements.
- (e) *Situational Pay for Non-uniformed, Non-union Employees.* When there is a threat or occurrence of an emergency, special event, or other similar situation, the Chief Administrative Officer may authorize payment to an employee who staffed the Emergency Operations Center or who worked in response to the emergency, special event, or other similar situation for hours worked that the employee would have otherwise been off. Payment shall be monetary and shall not be in the form of compensatory time unless authorized by the Chief Administrative Officer. Payment shall be computed at the following rate; one and one-half times the regular hourly rate for non-exempt employees and at the straight hourly rate for FLSA exempt employees. Employees covered by collective bargaining agreements shall be paid for hours worked under this subsection pursuant to the provisions of the collective bargaining agreements.
- (f) *Employees Exempt from Fair Labor Standards Act.*
 - (1) Except as otherwise provided in this subsection, supervisors in Grades J and below shall be paid overtime or granted compensatory time off at the rate of 1.5 hours of overtime or compensatory time for each hour worked in excess of 40 hours per week.
 - (2)
 - (i) Police Lieutenants shall be paid overtime time at the rate of 1.5 hour's pay for each hour worked in excess of the assigned work schedule.
 - (ii) For purposes of computing overtime under this paragraph:
 - a. A Police Lieutenant who is called in to work outside his or her regular shift shall be credited with all hours worked, but not less than 4 hours; and
 - b. A Police Lieutenant who is required to attend court or otherwise meet with government attorneys outside his or her regular shift shall be credited with all hours of court time, but not less than 3 hours.
 - c. A Police Lieutenant who is assigned to a detail of at

least fifteen (15) minutes but less than three (3) hours during off-duty hours shall receive a minimum of three (3) hours of pay or compensatory time at the overtime (1.5x) rate when the assignment is approved in advance.

- d. In lieu of receiving an extra monetary benefit for working during an emergency event, which is defined as an unforeseen event, or an event requiring critical action that results in the closing of County offices for normal business operations, Police Lieutenants will receive 8 hours of vacation leave each fiscal year. The additional 8 hours of leave will be applied to the leave balance of each Police Lieutenant on July 1st, regardless of whether the County closes for an unforeseen emergency during the year.
- (iii) Police Lieutenants may accrue compensatory hours in excess of 80 hours up to a maximum of 240 hours but shall be compensated at the time of separation at the hourly rate in effect at the time of separation, not to exceed 80 hours. A Police Lieutenant who is promoted to the rank of Police Captain shall have one year from the date of promotion to reduce any hours in excess of 80 hours. The use of excess compensatory time during this year is at the discretion of the Police Chief and dependent upon operational needs
- (3) A Police Services SUPPORT Supervisor [I]II who is called in to work hours which are not contiguous to their regular shift shall receive a minimum of 4 hours pay at the overtime rate. Such employees officially assigned to stand-by status shall receive minimum call-in pay, in addition to their stand-by pay, for the first call-in during any one stand-by period. Any additional required work time during the same stand-by period shall be paid as overtime (i.e. time and one-half) for actual hours worked. Pay shall start when the supervisor receives notice to report to work.
- (4) Emergency Communication Supervisors:
 - (i) In lieu of receiving an extra monetary benefit for working during an emergency event, which is defined as an unforeseen event, or an event requiring critical action that results in the closing of County offices for normal business operations, Emergency Communication Supervisors will receive 8 hours of vacation leave each fiscal year. The additional 8 hours of leave will be applied to the leave balance of each Emergency Communication Supervisors on July 1st, regardless of whether the County closes for an unforeseen emergency during the year.

- (ii) Called in to work hours which are not contiguous to their regular shift shall receive a minimum of 4 hours pay at the overtime rate. If canceled after they leave their residence, but prior to arriving at the worksite, they shall receive one hour of pay at the overtime rate;
 - (iii) Required to attend court as a result of a work-related incident, or give a work related deposition during non-scheduled working hours, will be compensated at a minimum of three hours at the overtime rate;
 - (iv) Required to attend meetings, or represent the Department on committees during non-scheduled working hours will be compensated at a minimum of three hours of pay at either the overtime rate, or the regular rate of pay, dependent upon the employees work hours for that week. Eligibility for, and applicability of, detail pay must be approved in advance of the event by the Division Commander or above.
 - (v) May accrue compensatory hours in excess of 80 hours up to a maximum of 240 hours but shall be compensated at the time of separation at the hourly rate in effect at the time of separation, not to exceed 80 hours.
- (5) Regarding Fire Captains, Battalion Chiefs and Assistant Chiefs:
- (i) Fire Captains shall be paid overtime or earn compensatory leave at one and one-half times their regular hourly rate for hours worked in excess of the regular hours in the employee's workweek;
 - (ii) Battalion Chiefs shall be paid overtime or earn compensatory leave at the straight rate for the first five hours worked over their regular workweek and shall be paid overtime or earn compensatory leave at time and one-half for all hours in excess of the regular hours in the employee's workweek.
 - (iii) Fire Assistant Chiefs are not eligible for overtime. Fire Assistant Chiefs may accrue compensatory time or additional straight time at an hour-for-hour rate for each hour worked in excess of the regular hours in the employee's work week.
 - (iv) Fire Captains may accrue compensatory hours in excess of 80 hours up to a maximum of 240 hours but shall be compensated at the time of separation at the hourly rate in effect at the time of separation, not to exceed 80 hours. Fire Battalion Chiefs and Assistant Chiefs shall not accrue more than 80 hours of compensatory time.
- (6) Employees paid according to the DS Schedule shall be paid overtime or granted compensatory time off at the rate of 1.5 hours of overtime or compensatory time for each hour worked in excess of 40 hours per week. In addition, for purposes of computing overtime, employees

paid according to the DS Schedule shall receive:

- (i) A minimum of 4 hours pay at time and one-half when called in to work outside of their regular shift, starting when the employee receives notification.
 - (ii) One hour of pay at time and one-half when off-duty and contacted by a supervisor and the employee spends a minimum of 30 minutes attempting to resolve an issue.
 - (iii) Three hours of pay at time and one-half when required to attend work related court, hearings, depositions or meet with attorneys outside of their regular schedule. If contiguous to their regular shift they shall receive time and one-half for all hours worked, except for their shift hours.
 - (iv) Three hours of pay at time and one-half when assigned to a detail of at least 15 minutes but less than 3 hours during off-duty hours which are not contiguous to the employee's regular shift.
 - (v) Time and one-half pay for all hours worked during the closing of County Offices during an event declared by the County Executive.
- (7) Correctional Captains shall be paid overtime or granted compensatory time off at the rate of 1.5 hours of overtime or compensatory time for each hour worked in excess of 40 hours per week.
 - (8) Except as provided in paragraphs (1) - (5) of this subsection, a merit system employee who is exempt from the coverage of the Fair Labor Standards Act, except those identified in Section 1.111(b) "Exempt Service" of the Howard County Code, shall be granted compensatory time, on an hour for hour basis, for all hours worked in excess of 40 hours per week, to a maximum of 80 hours.
 - (9) Upon termination, retirement, or appointment to an Executive Exempt position, a merit system employee who is exempt from the coverage of the Fair Labor Standards Act shall be paid at the hourly rate in effect at the time of separation for accumulated compensatory hours, not to exceed 80.
- (G) *Employees Covered by Fair Labor Standards Act*
- (1) Except as provided in paragraph (2) of this subsection, employees covered by provisions of the Federal Fair Labor Standards Act shall be paid overtime or granted compensatory time at the rate of 1.5 hours pay or 1.5 hours of compensatory time for each hour worked in excess of 40 hours per week.
 - (2) If a supervisor fails to arrange compensatory time off within 60 days of accrual, the employee may request compensatory pay in lieu thereof.

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on

July 7, 2021.
Michelle Harrod
Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2021.

Michelle Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2021.

Michelle Harrod, Administrator to the County Council

Office of the County Auditor
Auditor's Analysis

Council Bill No. 48-2021

Introduced: June 7, 2021

Auditor: Edward Shulder

Fiscal Impact:

The Administration estimates that this bill will increase County expenditures by approximately \$209,000 for Fiscal Year 2022. Approximately \$187,000 of this amount applies to the Department of Fire & Rescue Services and does not impact the County's general fund. These are expenditures of the Fire & Rescue Reserve Fund. We reviewed the Administration's calculations and found them to be reasonable. The bill has no impact on County revenues.

Purpose:

This bill amends previously approved County pay plans for certain Department of Police and Fire & Rescue Services personnel to reflect negotiated pay increases and longevity increments for FY 2022 as follows:

- Fire & Rescue Services – Local 2000 – Reflects longevity steps effective June 21, 2021, and a 1.5 percent across-the-board pay increase effective December 20, 2021.
- Fire & Rescue Services Management – Adopts and amends pay plans for longevity steps effective June 21, 2021, and a 1.5 percent across-the-board pay increase effective December 20, 2021.
- Police Management - Adopts and amends pay plans for longevity steps effective June 21, 2021, and a 1.5 percent pay increase effective December 20, 2021. Applies to Lieutenants only.

Other Comments:

The fiscal impact of changes to Local 2000 pay plans are included with the fiscal impact comments for Council Bill 47-2021.