

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2023 Legislative Session

Legislative Day No. 10

Bill No. 35-2023

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

AN ACT authorizing step adjustments for purposes of pay equity, under certain conditions; requiring certain approvals by the Personnel Officer following an assessment and recommendation by the Human Resources Administrator; and generally relating to the rates of pay for County employees.

Introduced and read first time _____, 2023. Ordered posted and hearing scheduled.

By order _____
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 _____, 2023.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2023 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2023 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2023

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 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 following provision of the Howard County Code is amended:

3

4 *Title 1. Human Resources Administration.*

5 *Section 1.302 “Starting rate of pay; promotion, demotion, and reclassification*
6 *rates.”*

7

8 **Title 1. Human Resources Administration.**

9 **Subtitle 3. Pay Plan.**

10

11 **Section 1.302. Starting rate of pay; promotion, demotion, and reclassification**
12 **rates[.]; PAY ADJUSTMENTS FOR PURPOSES OF PAY EQUITY.**

13 (a) *Starting Rate of Pay.*

14 (1) Except as provided in paragraphs (2) and (3) of this subsection, upon initial
15 appointment to the classified service, an employee shall receive the minimum rate
16 of pay for the position classification to which the employee is appointed.

17 (2) Upon appointment to the classified service, a new employee may receive a rate of
18 pay at step 2, 3, or 4, if such pay is recommended and justified in writing by the
19 appointing authority and approved in writing by the Human Resources
20 Administrator.

21 (3) Upon appointment to the classified service, a new employee may receive a rate of
22 pay at step 5 up to and including step 14, if such pay is recommended and
23 justified in writing by the appointing authority and approved in writing by the
24 Personnel Officer.

25 (4) Upon appointment to the classified service, a new employee may receive a rate of
26 pay at step 15 or above (not to exceed the maximum rate for the grade), if such
27 pay is recommended and justified in writing by the appointing authority and
28 approved in writing by the Personnel Officer and the County Executive.

29 (b) *Recruiting Bonus.* The Personnel Officer may authorize the payment of a recruiting
30 bonus of a flat dollar amount, not to exceed 20 percent of the approved annualized rate

1 offered to a candidate, as an incentive for the candidate to accept an employment offer for
2 a position that otherwise could not be filled due to:

- 3 (1) Labor market conditions;
- 4 (2) Specialized skill requirements; or
- 5 (3) Competitor compensation offers.

6 (c) *Promotion.*

7 (1) Except as provided in paragraphs (2) and (3) of this subsection, if a position in the
8 classified service is filled by the promotion of a current employee to a different
9 position classification, the base hourly rate of pay for the employee in the new
10 position classification shall be the higher of:

- 11 (i) The minimum base hourly rate of pay of the new grade; and
- 12 (ii) The base hourly rate of a step of the new grade which most closely
13 corresponds to but is not less than the employee's current hourly rate plus two
14 steps, not to exceed the maximum base hourly rate of pay for the new grade.

15 (2) If an employee is promoted and the promotion results in a change in the number
16 of hours in the employee's standard workweek, the employee's new pay rate shall
17 be the step in the new grade that most closely corresponds to, but is not less than,
18 a two-step increase from the employee's former salary on an annual basis.

19 (3) If an employee is promoted and the promotion results in the employee being paid
20 in accordance with the FM scale or PM scale, the employee shall be slotted into
21 the rate and step in the new range which correlates to the length of the employee's
22 creditable service.

23 (4) The Personnel Officer may approve a higher rate of pay for an employee who is
24 promoted.

25 (d) *Demotion.* If an employee in the classified service is demoted, the employee's base
26 hourly rate of pay in the new position shall:

- 27 (1) Be set by the appointing authority with the approval of the Personnel Officer; and
- 28 (2) Not exceed the maximum base hourly rate for the grade to which the new position
29 classification is assigned.

30 (e) *Reclassification.* If an occupied position is reclassified under subsection 1.202(c) of
31 this title, the position incumbent shall be paid at the rate of pay as follows:

1 (1) If the employee's position is reclassified to a higher grade, the employee's new
2 base hourly rate of pay shall:

3 (i) Be the base hourly rate of the step within the new grade which most closely
4 corresponds to, but is not less than, the employee's former base hourly rate,
5 plus two steps; and

6 (ii) Not exceed the maximum base hourly rate of pay for the new grade.

7 (2) If the employee's position is reclassified to a lower grade for non-disciplinary
8 reasons:

9 (i) The employee's base hourly rate shall be at a level within the new grade that is
10 closest to, but not less than, the employee's base hourly rate in the employee's
11 former grade; and

12 (ii) If the base hourly rate at which the employee was paid in the former grade is
13 more than the maximum base hourly rate for the new grade, the employee's
14 new base hourly rate shall remain the same as the employee's base hourly rate
15 in the employee's former grade; and

16 (3) The personnel officer may approve a rate of pay for an employee whose position
17 is reclassified that is higher than the rate otherwise provided for by this
18 subsection.

19 (F) *PAY ADJUSTMENTS FOR PURPOSES OF PAY EQUITY.*

20 (1) THIS SUBSECTION SHALL APPLY TO EMPLOYEES IN THE CLASSIFIED SERVICE.

21 (2) TO ENSURE PAY EQUITY WHILE UPHOLDING THE COUNTY'S COMPENSATION SYSTEM,
22 THE PERSONNEL OFFICER MAY AUTHORIZE AN ADJUSTMENT TO A CLASSIFIED
23 EMPLOYEE'S BASE HOURLY RATE OF PAY AS FOLLOWS:

24 (I) AN ADJUSTMENT UNDER THIS SUBSECTION MAY BE CONSIDERED WHEN THERE
25 IS PAY INEQUITY RESULTING FROM AN EMPLOYEE WITH COMPARABLE
26 RELEVANT SKILLS, KNOWLEDGE, EXPERIENCE, BEING PAID SIGNIFICANTLY
27 LOWER THAN OTHER EMPLOYEES WITHIN THE SAME POSITION CLASSIFICATION.
28 IF THE CLASSIFICATION IS SPECIALIZED OR TECHNICAL, THE PERSONNEL
29 OFFICER MAY AUTHORIZE A BROADER REVIEW OF RELEVANT RELATED
30 POSITIONS FOR PURPOSES OF CONDUCTING AN ASSESSMENT.

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(II) PAY EQUITY ADJUSTMENTS REQUIRE APPROVAL BY THE COUNTY’S PERSONNEL OFFICER FOLLOWING AN ASSESSMENT AND SUPPORTING RECOMMENDATION BY THE HUMAN RESOURCES ADMINISTRATOR. PAY EQUITY ADJUSTMENTS MAY ONLY BE MADE THROUGH THE ADJUSTMENT OF ESTABLISHED PAY STEPS. THE RESULTING BASE HOURLY RATE OF PAY, AFTER THE PAY EQUITY ADJUSTMENT, MUST REMAIN WITHIN THE SALARY RANGE OF THE EMPLOYEE’S CURRENT POSITION GRADE AND ANY ADJUSTMENT IS SUBJECT TO FUNDING AVAILABILITY. PAY EQUITY ADJUSTMENTS ARE MADE THROUGH THE ADJUSTMENT OF THE EMPLOYEE’S PAY STEP WITHIN THE GRADE. IN NO INSTANCES SHALL THE PAY EQUITY ADJUSTMENT BE USED TO MOVE THE EMPLOYEE TO A HIGHER CLASSIFICATION.

(3) THE PERSONNEL OFFICER SHALL ESTABLISH A PROGRAM GOVERNING THE REVIEW OF PAY EQUITY ISSUES.

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.