

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 13

Bill No. 38-23

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, June 5, 2023

A BILL
ENTITLED

AN ACT concerning

Classification and Compensation Plans - Rules and Regulations

FOR the purpose of providing for certain changes to the Baltimore County Classification and Compensation Plan Rules and Regulations by amending and adding to provisions affecting Promotion Pay and Substitution/Acting Pay; providing for the effective date of this Act; and generally relating to the Classification and Compensation Plan of Baltimore County.

BY repealing and re-enacting, with amendments

Compensation Plan Rules and Regulations, Section IV
Regulation 6.01
Regulation 10.02

BY adding

Compensation Plan Rules and Regulations, Section IV
Regulation 24.02
Regulation 24.03

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 WHEREAS, the Personnel and Salary Advisory Board has recommended amendments to
2 “Baltimore County Classification and Compensation Plans” as adopted by Council Bill 27-76, as
3 amended; and

4 WHEREAS, the recommended amendments are contained in this Bill and the County
5 Executive has approved said recommendations; now therefore

6
7 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
8 COUNTY, MARYLAND, that the following Compensation Rules and Regulations of the
9 Baltimore County Classification and Compensation Plans, Section IV, shall read as follows:

10
11 Regulation 6.01.

12 [When an employee is promoted to a class with a higher pay grade, the entrance rate shall
13 be at the lowest step in the higher grade that will provide an increase of one (1) step if the
14 advancement is only one (1) grade, or if the advancement is more than one (1) grade the new rate
15 shall be not less than two (2) steps over the rate received immediately prior to such promotion.
16 Except as provided above, employees promoted to Pay Schedule XII shall be provided two (2)
17 steps if the advancement is one grade or three (3) steps if the advancement is more than one
18 grade.]

19 A. THE OFFICE OF HUMAN RESOURCES, IN CONSULTATION WITH THE
20 OFFICE OF LAW AND UPON APPROVAL FROM THE COUNTY ADMINISTRATIVE
21 OFFICER, SHALL ADOPT GUIDELINES TO ENSURE THAT ACTING CAPACITY PAY
22 DESIGNATIONS ARE DONE FAIRLY AND EQUITABLY.

23 B. WHEN AN EMPLOYEE IS PROMOTED TO A CLASS WITH A HIGHER PAY

1 GRADE, THE ENTRANCE RATE SHALL BE THE CLOSEST STEP THAT WILL PROVIDE
2 A 10% INCREASE (EQUIVALENT TO 2 STEPS) FROM THE EMPLOYEE'S CURRENT
3 BASE PAY, IF THE ADVANCEMENT IS ONLY ONE GRADE. IF THE ADVANCEMENT
4 IS MORE THAN ONE GRADE THE NEW RATE SHALL BE THE CLOSEST STEP THAT
5 WILL PROVIDE A 15% INCREASE (EQUIVALENT TO 3 STEPS) FROM THE
6 EMPLOYEE'S CURRENT BASE PAY.

7 C. EXCEPT AS PROVIDED ABOVE, EMPLOYEES PROMOTED TO PAY
8 SCHEDULE XII SHALL BE PROVIDED THE CLOSEST STEP THAT WILL PROVIDE A
9 15% INCREASE (EQUIVALENT TO 3 STEPS) FROM THE EMPLOYEE'S CURRENT
10 BASE PAY IF THE ADVANCEMENT IS ONE GRADE. IF THE ADVANCEMENT IS
11 MORE THAN ONE GRADE THE ENTRANCE RATE SHALL BE THE CLOSEST STEP
12 THAT WILL PROVIDE A 20% INCREASE (EQUIVALENT TO 4 STEPS) FROM THE
13 EMPLOYEE'S CURRENT BASE PAY.

14 D. AN INTERNAL CANDIDATE SEEKING A PROMOTION WITHIN COUNTY
15 GOVERNMENT SHALL BE ELIGIBLE FOR A BEGINNING RATE OF COMPENSATION
16 EQUAL TO THE RATE FOR WHICH AN EXTERNAL CANDIDATE WOULD BE
17 ELIGIBLE.

18 E. Additional steps may only be granted subject to the approval of the County
19 Administrative Officer and the Director of Human Resources. In no case shall a promoted
20 employee receive less than the minimum of the new grade.

21
22 Regulation 10.02. Higher Class Substitution Pay.

23 A. THE OFFICE OF HUMAN RESOURCES, IN CONSULTATION WITH THE

1 OFFICE OF LAW AND UPON APPROVAL FROM THE COUNTY ADMINISTRATIVE
2 OFFICER, SHALL ADOPT GUIDELINES TO ENSURE THAT SUBSTITUTION PAY
3 DESIGNATIONS ARE DONE FAIRLY AND EQUITABLY.

4 [A] B. When authorized and approved by the [agency or] department head, or his/her
5 designee, employees shall receive payment for substituting in a position allocated to a higher
6 class when the position is vacant because of sick leave, accident leave, vacation leave, military
7 leave, leave of absence, resignation, retirement, death, discharge, promotion, or a newly
8 authorized funded position exists. Such substitution shall be reported and justified as required by
9 the County Administrative Officer.

10 1. Notwithstanding the above provision, effective July 1, 2007, Pay Schedule I
11 employees shall also receive payment for substituting in a higher class when the position is
12 vacant because of County mandated training.

13 2. Notwithstanding the above provision, effective July 1, 2008 Pay Schedule I
14 employees shall also receive payment for substituting in a higher class for any reason in excess
15 of thirty (30) consecutive days. Such substitution shall be reported and approved by the County
16 Administrative Officer in advance.

17 3. Notwithstanding the above provision, effective July 1, 2010, Pay Schedule I
18 employees shall also receive payment for substituting in a higher class when the position is
19 vacant due to Bereavement Leave and Jury Duty.

20 [B] C. The substituting employee will receive the higher pay only for the period in which
21 he actually substitutes in the higher class.

22 Such substitution assignments shall be limited to a maximum period of six (6) calendar months,
23 except in unusual circumstances when the Director of Human Resources determines that an

1 extension of the assignment will best serve the interests of County government.

2 [C] D. Substituting employees shall be eligible for both merit and/or longevity
3 increments, associated with their normal class, if applicable.

4 [D] E. In addition to the conditions cited in [E] PARAGRAPH F (below), it is preferable
5 that substituting employees meet the minimum qualifications contained in the specification for
6 the higher class. Also, such assignment provides the substituting employee no “vested” rights to
7 the position in which he substitutes. The position can be filled permanently only by the
8 competitive examination process, and any qualified employee may compete for the position
9 when the substitution period has ended. In this respect, it shall be mandatory that when a
10 substitution is made in a position in which the incumbent has permanently terminated, for any
11 reason, that the agency or department head immediately prepare a requisition to fill the vacant
12 position.

13 [E] F. Employees in classes assigned to Pay Schedule I through VIII, XI, XII, and XIII,
14 who substitute in a higher class, shall receive payment for such assignments, in accordance with
15 Compensation Plan Rule 6, subject to the following conditions:

16 1. Employees in classes assigned to Pay Schedule VI, VII, VIII, XI and XII shall
17 receive payment if the substitute first completes ten (10) consecutive regular work days,
18 including overtime and any holiday which occurs during this period, performing the duties of the
19 higher class. The payment shall be retroactive to the beginning of the substitution assignment
20 once the ten (10) consecutive regular work days are completed in the higher class.

21 Notwithstanding the above, effective July 1, 1997, Pay Schedule VI, Grades 1 through 26, shall
22 receive payment if the substitute first completes five (5) consecutive regular workdays, including
23 overtime and any holiday which occurs during this period, performing the duties of the higher

1 class. The payment shall be retroactive to the beginning of the substitution assignment once the
2 five (5) consecutive regular workdays are completed in the higher class.

3 2. Effective July 1, 1996, Pay Schedule II employees, who substitute in a higher
4 class, shall receive payment if the substitute first completes one complete shift of actual work in
5 the higher classification provided the assignment is made in writing by a designee of the Agency
6 Head or Bureau Chief; provided further, that the requirement that a vacant position exists,
7 contained in [(A)] PARAGRAPH B above, shall be expanded to include “emergency
8 circumstances” approved by the Administrative Officer. The payment shall be for hours of
9 actual work.

10 3. Pay Schedule III shall receive payment if the substitute first completes forty
11 (40) continuous hours of work, including overtime and any holiday which occurs during this
12 period, performing the duties of the higher class. The payment shall be retroactive to the
13 beginning of the substitution assignment once forty (40) continuous hours are completed in the
14 higher class.

15 4. Pay Schedule IV as outlined in [(A)] PARAGRAPH B above and employees
16 substituting for a higher classified employee who is otherwise absent from a duty station for an
17 entire shift, shall receive payment for substituting in a higher class as follows:

18 a. If an employee assigned to the class of Police Officer or Police Officer
19 First Class substitutes in a vacant position allocated to a class assigned a higher salary grade,
20 payment shall be received for all hours worked, including overtime, beginning with the
21 assumption of the substitution assignment. Provided, further, that the substitute must be
22 designated by the Chief or his designee immediately upon the position becoming vacant.

23 b. If an employee assigned to the class of Corporal or above substitutes in

1 a position allocated to a class assigned a higher salary grade, payment shall be received for all
2 hours worked, including overtime, beginning with the assumption of the substitution assignment.

3 5. Pay Schedule V shall receive payment for substituting in higher class as in
4 [(A)] PARAGRAPH B above or when authorized and approved by the Department Chief or the
5 Chief's designee when the higher class is vacant or a newly authorized funded position exists as
6 follows:

7 a. No employee in the class of Firefighter/EMT shall substitute in a class
8 assigned to a grade higher than Paramedic, except in cases of extreme emergency. Provided
9 further, that Firefighters assigned to the Central Communications Center may substitute for Fire
10 Lieutenants in the Communications Center. Provided further that no employee in the class of
11 Firefighter/EMT shall receive payment for substituting in the class of Fire Specialist, whether on
12 duty or called back. Provided further, that substitution pay shall be provided in accordance with
13 the Memorandum of Understanding in effect at the time between the Baltimore County
14 Professional Firefighters Association (BCFA) and the Administration.

15 6. Pay Schedule I shall receive payment if the substitute first completes one
16 complete shift, including overtime, and any holiday which occurs during this period, performing
17 the duties of the higher class. The payment shall be retroactive to the beginning of the
18 substitution assignment in the higher class.

19 7. Pay Schedule XIII shall receive payment if the substitute first completes one
20 complete shift, including overtime, and a holiday, which occurs during this period, performing
21 the duties of the higher class. The payment shall be retroactive to the beginning of the
22 substitution assignment in the higher class.
23

1 REGULATION 24.02. ACTING PAY FOR NON-MERIT EMPLOYEES.

2 A. THE OFFICE OF HUMAN RESOURCES, IN CONSULTATION WITH THE
3 OFFICE OF LAW AND UPON APPROVAL FROM THE COUNTY ADMINISTRATIVE
4 OFFICER, SHALL ADOPT GUIDELINES TO ENSURE THAT ACTING CAPACITY PAY
5 DESIGNATIONS ARE DONE FAIRLY AND EQUITABLY.

6 B. AN EMPLOYEE DESIGNATED BY AN APPOINTING AUTHORITY TO
7 PERFORM ON A TEMPORARY BASIS ALL THE DUTIES OF A POSITION IN A
8 CLASSIFICATION THAT HAS A RATE OF PAY WHICH IS HIGHER THAN THAT OF
9 THE EMPLOYEE'S CLASSIFICATION SHALL BE PAID ADDITIONAL
10 COMPENSATION, KNOWN AS ACTING CAPACITY PAY, IN ACCORDANCE WITH
11 GUIDELINES ADOPTED BY THE CLASSIFICATION AND COMPENSATION RULES OF
12 THIS REGULATION.

13 C. THE AMOUNT OF THE ACTING CAPACITY PAY SHALL BE THE AMOUNT
14 WHICH THE EMPLOYEE WOULD BE PAID IF PERMANENTLY PROMOTED TO THE
15 HIGHER CLASSIFICATION UNLESS OTHERWISE PROVIDED BY LAW.

16
17 REGULATION 24.03. PROMOTION FOR NON-MERIT EMPLOYEES.

18 A. THE OFFICE OF HUMAN RESOURCES, IN CONSULTATION WITH THE
19 OFFICE OF LAW AND UPON APPROVAL FROM THE COUNTY ADMINISTRATIVE
20 OFFICER, SHALL ADOPT GUIDELINES TO ENSURE THAT ACTING CAPACITY PAY
21 DESIGNATIONS ARE DONE FAIRLY AND EQUITABLY.

22 B. AN EMPLOYEE SHALL BE PAID AT LEAST THE MINIMUM SALARY OF
23 THE SALARY RANGE TO WHICH THE EMPLOYEE HAS BEEN APPOINTED. A

1 DEPARTMENT MAY NEGOTIATE A STARTING BASE PAY OF 15% INCREASE OF THE
2 ASSIGNED SALARY RANGE. AN INTERNAL CANDIDATE SEEKING A PROMOTION
3 WITHIN COUNTY GOVERNMENT SHALL BE ELIGIBLE FOR A BEGINNING RATE OF
4 COMPENSATION EQUAL TO THE RATE FOR WHICH AN EXTERNAL CANDIDATE
5 WOULD BE ELIGIBLE.

6 C. A DEPARTMENT SHALL NOT OFFER A CANDIDATE A STARTING BASE
7 PAY THAT EXCEEDS 15% INCREASE OF THE ASSIGNED SALARY RANGE WITHOUT
8 APPROVAL FROM THE DIRECTOR OF HUMAN RESOURCES AND THE COUNTY
9 ADMINISTRATIVE OFFICER. IN THE REQUEST FOR A HIGHER SALARY RANGE, THE
10 DIRECTOR SHALL PROVIDE A COPY OF THE CANDIDATE’S RESUME AND THE
11 NAMES OF OTHER INCUMBENTS IN THE SAME CLASS IN THE DEPARTMENT WITH
12 THEIR SALARIES.

13
14 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
15 the affirmative vote of five members of the County Council, shall take effect July 3, 2023.

16 SECTION 3. AND BE IT FURTHER ENACTED, that this Act shall be construed to
17 apply retroactively to July 1, 2023.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

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AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell