

## TITLE 26 - Human Resources Ordinance

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TITLE 26. HUMAN RESOURCES

Subtitle I. DEFINITIONS AND WORD USAGE

26-101. Definitions. In this subtitle, the following words have the meanings indicated.

(a) *Anniversary Date.*

"Anniversary Date" means the date of employment of an employee by the Queen Anne's County Government as either a full or part time employee. For persons who began employment as contractual workers, the employee's anniversary date shall be the date upon which the employee converted from status as a contractual worker to that of a member of either the Classified or Professional and Executive services.

(b) *Annual Leave.*

"Annual Leave" means the employment benefit awarded to all full time County employees which allows them to be absent from the work place while continuing to receive pay at their regular rate.

(c) *Appeal.*

"Appeal" means an action by a member of the Classified service pertaining to a personnel action.

(d) *Appointing Authority.*

"Appointing Authority" means the designated position responsible for making the decision to appoint and terminate persons occupying non-elected classes work positions within the County government.

(e) *Class of Work.*

"Class of Work" means a grouping of positions bearing the same title which are assigned to the same pay grade on a County salary scale.

(f) *Classification.*

"Classification" means the process of systematically examining and evaluating the

duties, responsibilities and overall value of positions and classes of work to the County and, thereafter, assigning positions to an appropriate class of work and all classes of work to an appropriate grade on a County pay scale.

(g) *Classified Service.*

"Classified Service" consists of those full and part time positions which are designated in this Ordinance as such.

(h) *Compensation.*

"Compensation" means salary, wages, and allowances of any type paid to an employee or contractual worker, and compensatory leave.

(i) *Compensation Plan.*

"Compensation Plan" shall consist of:

- (1) The salary schedules for both the Classified Service and the Professional and Executive Service; and
- (2) The grading of classes for salary purposes as depicted in Section VI. of this Ordinance.

(j) *Compensatory Leave.*

"Compensatory Leave" is a leave benefit which an employee elects to receive for working in excess of normal work week in lieu of overtime pay.

(k) *Contractual Worker.*

"Contractual Worker" is a person who is employed by the County under an employment contract or agreement.

(l) *Controlled Substance.*

"Controlled substance" includes the following for employees other than sworn members of the Sheriff's Office; marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines. For sworn members of the Sheriff's Office, the term includes, in addition to the foregoing substances, barbiturates, propoxyphene and benzodiazepine.

(m) *Demotion.*

"Demotion" means the movement of an employee from a class of work to another class of work which is assigned to another grade on a County salary scale which is lower than the class of work previously occupied by the employee.

(n) *Duty Status.*

"Duty Status" is the period of time and status an employee occupies when regardless of physical location, he or she is performing assigned duties and responsibilities for the County.

(o) *Eligibility List.*

"Eligibility List" is a list of persons who have successfully completed all phases of the selection process for a position or position series and are eligible for appointment to the position or positions.

(p) *Exempt Service.*

"Exempt Service" consists of officials and employees of the County specified herein who are exempt from certain provisions of this Ordinance as hereafter specified.

(q) *Holiday.*

"Holiday" is any week day so designated by the County Commissioners on which the Queen Anne's County government is closed for business on a prescheduled basis.

(r) *Immediate Family.*

"Immediate Family" means a spouse, children, mother, father, sister, brother, guardian, grandparents, and grandchildren; and the various combinations of half, step, in-law and adopted relationships which can be derived from those named and who reside in the employee's household.

(s) *Labor Market.*

"Labor Market" consists of the counties of Talbot, Kent, and Anne Arundel, and the cities of Easton, Chestertown, and Annapolis.

(t) *Leave Status.*

"Leave Status" means the status an employee occupies while scheduled for work but during which he or she is absent from work. Leave status may be paid or unpaid.

(u) *Leave Without Pay.*

"Leave Without Pay" means the status an employee occupies when he or she is absent from a scheduled duty status while not on an approved leave status and during which time the employee's right to receive payment of salary is suspended.

(v) *Over Maximum Salary.*

"Over Maximum Salary" is a term which applies to an employee who, as of the date of a county classification study, was making an amount which was in excess of the salary properly assigned to the position they occupy and whose salary has been deemed not eligible for increase until it falls within the General Salary Schedule as that Schedule is periodically adjusted.

(w) *Overtime.*

"Overtime" refers to those hours worked by an employee in excess of forty (40) worked during any County work week.

(x) *Paid Leave.*

"Paid Leave" is the period of time and status an employee occupies when he or she is not required to perform any work but during which he or she is entitled to be paid. Payment to an employee on leave status shall not exceed the regular hourly rate of pay the employee would normally receive had he or she been in duty status.

(y) *Personnel Action.*

- (1) A "Personnel Action" shall include, with respect to any non-probationary member of the Classified service;
  - (i) Any evaluation of job performance which reports unsatisfactory performance;
  - (ii) Written reprimand;
  - (iii) Suspension without pay;
  - (iv) Reclassification with a reduction or loss of associated compensation;
  - (v) Demotion; and
  - (vi) Termination from employment.
- (2) A "Personnel Action" shall not include:
  - (i) Any evaluation of job performance which reports performance which is better than unsatisfactory;
  - (ii) Oral reprimand;
  - (iii) Suspension with pay;
  - (iv) Reclassification without a reduction or loss of associated compensation; or
  - (v) Other personnel status change.

(z) *Position.*

"Position" is a budgeted and authorized grouping of tasks, duties and functions. A position may be either occupied by an employee or vacant.

(aa) *Professional and Executive Service.*

"Professional and Executive Service" consists of those professional County staff members designated as such in this Ordinance and all department directors and persons who serve at the pleasure of the County Commissioners.

(bb) *Promotion.*

"Promotion" means the movement of an employee from a class of work to another class of work which is

assigned to a grade on a County salary scale which is higher than the class of work previously occupied by the employee.

(cc) *Re-Classification.*

"Re-Classification" is the processes of systematically re-examining and re-evaluating the duties, responsibilities assigned to an employee to ascertain;

- (1) Whether the employee is assigned to the proper class of work; or
- (2) Whether the class of work of which the employee's position is a part is assigned to the proper salary grade.

(dd) *Reduction in Force.*

"Reduction in Force" means the deletion of any full-time position from the County budget due to a reduction of the County services, elimination of County services or insufficient funds.

(ee) *Salary.*

"Salary" means the cash compensation that shall be paid for work performed by employees during duty status.

(ff) *Salary Grade.*

"Salary Grade" means one of a fifteen (15) step range of rates of pay as shown on the Classified Employees Salary Schedule, or the minimum and maximum amounts depicted for each of the five pay grades on the Professional and Executive Salary Schedule.

(gg) *Salary Step.*

"Salary Step" means one of a twelve (12) step range of rates of pay and three (3) longevity rates of pay assigned to a salary grade.

(hh) *Sick Leave.*

"Sick Leave" means that employment benefit awarded to all full time County employees which allows

them to be absent from the work place when they are incapacitated by illness or injury and unable to perform their assigned duties and responsibilities while continuing to receive pay at their regular rate.

(ii) *Temporary Transfer Pay.*

"Temporary Transfer Pay" means the amount of salary in addition to or deducted from an employee's normal salary as a result of the assignment of greater or lesser duties and job duties and responsibilities as specified in this Policy.

(jj) *Work Week.*

"Work Week" refers to the official County work week which commences at 12:01 AM on Wednesday and concludes at 12:00 PM the following Tuesday.

26-102. Rules of Interpretation. In this Subtitle, the provisions and rules of this section shall be observed and applied, except where the context clearly requires otherwise.

(a) *Verb Tense.*

Words used or defines in one tense or form shall include other tenses and derivative forms.

(b) *Masculine and Feminine Gender.*

The masculine gender shall include the feminine, and the feminine gender shall include the masculine.

(c) *"Shall"*

The word "shall" is mandatory.

(d) *"May"*

The word "may" is permissive.

(e) *Text Controls.*

In case of any difference in the meaning or implication between the text of this subtitle and

any caption, illustration, or table, the text shall control.

Subtitle II. ORGANIZATION OF THE HUMAN RESOURCE SYSTEM

26-201. Statement of Purpose and Policy.

- (a) The purpose of this Title (hereafter called "Human Resource Ordinance") is to establish a centralized human resource system according to which all matters relating to personnel shall be administered.
- (b) It is the policy of the County Commissioners that such a system feature equitable and uniform personnel administration practices throughout County government, and that County employment practices are based solely on job-related considerations and operate so as to insure that the best qualified persons are employed by the County in every position.
- (c) This Personnel Ordinance is not intended to and does not constitute an expressed or implied contract of employment between the County and any employee.
- (d) This Personnel Ordinance is not intended to preclude the development and implementation of operational policies and procedures by department directors. Such policies and procedures shall be developed and implemented;
- (e) When reasonably necessary to effectuate effectiveness and efficiency of County operations;
  - (1) In a job-related context; and
  - (2) With the approval of the County Administrator who shall enure that such policies and procedures are applied to as many departments and units of County government as shall be appropriate and, where necessary, extended to the entire County work force.

26-202. Human Resource Practice Standards. The following standards shall apply to all County personnel practices:

- (a) Employment shall be based on the principle that the County seeks to identify, select and employ the highest qualified candidates for all positions without regard to race, color, religion, political affiliation, marital status, sex, age, physical or mental disability, or any other basis prohibited by State or Federal law.

- (b) Qualified persons with a disability, persons who have a known association with a disabled person, or persons who aid or encourage others to exercise any right granted or protected under the Americans with Disabilities Act may not be discriminated against in regard to employment terms, conditions, or privileges;
- (c) Conditions of employment shall be maintained to promote efficiency and economy in the operation of County government;
- (d) Position classification and compensation plans shall be established and revised from time to time to meet changing conditions;
- (e) Appointments and promotions shall be made solely on the basis of merit and fitness as demonstrated by examination and/or other evidence of competence; and
- (f) Tenure of employment shall be subject to satisfactory performance of work, personal conduct compatible with the trust inherent in public service, necessity for the performance of work, and availability of funds.

26-203. Responsibility of the County Commissioners. The County Commissioners shall;

- (a) Appoint a qualified person to the position of County Administrator;
- (b) Define and list the essential functions and other duties and responsibilities of the County Administrator;
- (c) Appoint members of the Personnel Board; and
- (d) Establish personnel policy through the periodic amendment of this Title.

26-204. Responsibility of County Administrator. The County Administrator shall:

- (a) Perform those essential functions, duties and responsibilities which are assigned by the County Commissioners in a written job description, and all reasonably related activities;
- (b) Faithfully adhere to all provisions of this Ordinance;

- (d) Administer this Ordinance in order to ensure the faithful adherence to its provisions by all County employees;
- (e) Monitor the personnel functions within all County departments to ensure conformance with the requirements of this Ordinance;
- (f) Appoint all department directors to the Professional and Executive Service with the advice and consent of the Board of County Commissioners, and ensure that appropriate and comprehensive job descriptions are developed and distributed for all department directors;
- (g) Appoint members of his or her staff to the Classified Service; and
- (h) Supervise the Director of the Department of Human Resources to ensure that he or she manages that Department in an efficient and effective manner.

26-205. Responsibility of Director of the Department of Human Resources. Under the supervision of the County Administrator, the Director of Human Resources shall;

- (a) Perform those essential functions, duties and responsibilities which are assigned by the County Administrator in a written job description, and all reasonably related activities;
- (b) Faithfully adhere to all provisions of this Ordinance;
- (c) Interpret, apply and enforce the provisions of this Ordinance, and the policies and procedures adopted thereunder;
- (d) Appoint Departmental staff members to the Classified Service;
- (e) Provide technical assistance to County managers and supervisors, as necessary, to ensure conformance to the highest standards of human resource practice;
- (f) Manage the Department of Human Resources efficiently and effectively;
  - (1) With regard to recruitment and selection of persons to fill positions of employment within the Classified Service;

- (i) Conduct recruiting for all positions within the Classified Service and other positions as assigned by preparing job announcements and appropriate advertisements;
  - (ii) Develop or cause to be developed, appropriate tests or evaluative processes which are designed to evaluate the relative presence or absence of job-related knowledge, skills and ability for all job applicants; and
  - (iii) In connection with the Classified Service;
- (2) With regard to employment screening;
- (i) On the basis of tests and/or other evaluative procedure results, rank applicants for employment in accordance with the level of their respective qualifications;
  - (ii) Prepare and maintain eligibility lists for each position within the County Classified Service.
- (3) With regard to the process of employing persons to work for the County;
- (i) Receive requisitions from departments wishing to fill budgeted vacant positions;
  - (ii) Certify the names of the three (3) candidates, standing highest sequentially, on an appropriate eligibility list to an appointing authority;
  - (iii) Upon a decision of the appointing authority, acquire accurate and complete data regarding a new employee to;
    - a) Enter them in the County's payroll/personnel system;
    - b) Enroll them in the benefits programs for which they are eligible and which they select; and

- c) Include them in an employee orientation program.
- (4) With regard to human resource policy development;
- (i) Develop and submit recommendations regarding human resource policy to the County Commissioners;
  - (ii) Develop and submit personnel rules and procedures necessary to implement the provisions of this Ordinance to the County Administrator for his review and implementation; and
  - (iii) Develop and publish operating procedures for the Department of Human Resources.
- (5) With regard to classification.
- (i) Using an objective, job-related system, evaluate the tasks, duties and responsibilities of all positions of employment within both the Classified and Professional and Executive services;
  - (ii) Establish appropriate internal relationships between all positions;
  - (iii) Rank order and group positions so that those with tasks, duties and responsibilities of an equivalent value are grouped together;
  - (iv) Recommend allocation of all new and existing positions to appropriate pay grades;
  - (v) Recommend that the County Commissioners amend the position classification plan to establish a new class to which the new position may be allocated;
  - (vi) Allocate the new position to the appropriate class within the existing classification plan;
  - (vii) Prepare and submit recommended position specifications for all positions of employment within County government to the County Commissioners for adoption, including;

- a) All full and part time positions within the Classified Service; and
  - b) All positions within the Professional and Executive Service.
- (6) With regard to compensation.
- (i) Develop and recommend a pay plan to the County Commissioners;
  - (ii) Conduct periodic studies regarding cost of living based upon the increase in cost of living statistics as maintained and published by the U.S. Department of Labor;
  - (iii) Conduct periodic studies regarding labor market wage comparisons for the labor market;
- (7) With regard to benefits.
- (i) Make recommendations regarding benefit plan contents and structure; and
  - (ii) Administer various benefit plans.
- (8) With regard to Records. Manage the preparation and maintenance of all personnel records for all members of the County's Classified and Exempt services;
- (9) With regard to appeals.
- (i) Supervise and coordinate the appeal process to ensure that employees receive a fair and timely resolution of all appeals;
  - (ii) Conduct hearings and adjudicate step III appeals in a fair, impartial and timely manner; and
  - (iii) Present Step IV appeals to and represent the County before the Personnel Board.
- (g) Periodically audit the personnel practices and records of all County departments and units of government to which County employees are assigned in order to ensure conformance to this Ordinance

and the highest standards of human resource practice;

- (h) Foster and develop programs for the improvement of employee effectiveness; and
- (i) Perform other duties as assigned by the County Administrator.

26-206. Departmental Directors. Under the supervision of the County Administrator, departmental directors shall;

- (a) Perform those essential functions, duties and responsibilities which are assigned by the County Administrator in a written job description, and all reasonably related activities;
- (b) Adhere to the provisions of this Ordinance, and the policies and procedures adopted thereunder;
- (c) Appoint qualified persons to positions of employment within the Classified Service within their respective departments;
- (d) Negotiate and recommend for approval by the County Administrator employment contracts with persons to perform work within those departments and who are not in approved, classified positions;
- (e) Seek technical assistance from the Department of Human Resources to ensure conformance to the highest standards of human resource practice;
- (f) Manage the human resources assigned to their departments efficiently and effectively;
- (g) Initiate requisitions for persons to fill authorized, budgeted positions within their departments and cooperate with the Department of Human Resources in recruiting, selection and employment activities.

Subtitle III. EXEMPT SERVICE.

26-301. Exempt Service Established. The Exempt Service of Queen Anne's County is hereby created.

26-302. Composition. The Exempt service shall consist of;

- (a) Elected officials occupying the following positions:
  - (1) County Commissioner;
  - (2) Judge of the Orphans Court;
  - (3) State's Attorney;
  - (4) Sheriff.
- (b) Employees of the Circuit Court for Queen Anne's County;
- (c) Employees of the State's Attorney for Queen Anne's County;
- (d) Employees of the Queen Anne's County Board of Education;
- (e) Any attorney employed under a legal services agreement;
- (f) Members of boards, commissions and committees appointed by the County Commissioners;
- (g) All independent contractors performing work for the County; and
- (h) All contractual workers employed by the County under employment agreements.

26-303. Application of Human Resource Ordinance. The provisions of this Title shall not apply to members of the exempt service except as follows:

- (a) Employees of the Circuit Court for Queen Anne's County shall:
  - (1) Be subject to the provisions of sections, VII, VIII, IX, X, XI, XIV and XVI of this Ordinance; and
  - (2) Serve under the direct supervision and at the pleasure of the County Administrative Judge.

(b) Employees of the State's Attorney for Queen Anne's County shall:

- (1) Be subject to the provisions of sections, VII, VIII, IX, X, XI, XIV and XVI of this Ordinance; and
- (2) Serve under the direct supervision and at the pleasure of the State's Attorney for Queen Anne's County.

Subtitle IV. CLASSIFIED SERVICE.

26-401. Classified Service Established.

- (a) The Classified Service of Queen Anne's County is hereby established.
- (b) All appointments, promotions, and personnel transactions within the County's Classified Service shall be based solely upon merit and fitness ascertained by means of job related selection practices and techniques, and without regard to race, color, religion, political affiliation, marital status, sex, age, physical or mental disability, or any other basis prohibited by State or Federal law.

26-402. Tenure. Members of the Classified Service shall retain their positions of employment provided;

- (a) Sufficient funds are available to pay their salaries;
- (b) They display reasonable competence in their assigned duties and responsibilities;
- (c) They are physically and mentally able, with or without reasonable accommodations, to perform assigned essential functions; and
- (d) With respect to a disciplinary offense;
  - (1) It is not established by a preponderance of evidence that they committed such an offense; and
  - (2) Termination from County service is not a reasonable sanction given the nature of the offense committed, the employee's work history and any relevant, mitigating factors.

26-403. Appointing Authority. The appointing authority for members of the Classified Service shall be the department director of the department to which the employee is assigned. In the case of employees who are assigned to work for state agencies, the appointing authority shall be the Director of Human Resources.

26-404. Classification Plan.

- (a) Allocation of Positions; Classified Service.  
Positions within the Classified Service are allocated to the following pay grades:

<u>Position Title</u>	<u>Pay Grade</u>
Clerk Typist I	1
Custodian	1
Clerk Typist II	2
Human Service Associate I	2
4-H Program Assistant	3
Clerk I	3
Clerk Typist III	3
Highway Worker	3
Maintenance Worker I	3
Clerk II	4
Corrections Cook	4
Human Service Associate II	4
Mechanic Helper	4
Senior Center Manager	4
Clerk III	5
Custodial Supervisor	5
Equipment Operator I	5
Liquor Inspector	5
Maintenance Worker II	5
Mechanic I	5
Public Safety Dispatcher I	5
Recreation Program Coordinator	5
Secretary I	5
Senior Programs Planner	5
Transportation Dispatcher	5
Weed Control Technician	5
Benefits Counselor	6
Clerk IV	6
Equipment Operator II	6
Maintenance Technician	6
Maintenance Worker III	6
Public Safety Dispatcher II	6
Secretary II	6
Utility Worker	6
Zoning Inspector	6
Administrative Assistant	7
Animal Control Officer	7
Computer Technician I	7
Equipment Operator III	7
GIS Program Specialist	7

Legal Secretary	7
Maintenance Craftsman	7
Mechanic II	7
Office Supervisor	7
Utilities Technician I	7
Waste Water Operator I	7
Water Operator I	7
Computer Technician II	8
Construction Inspector I	8
Housing Program Coordinator	8
Maintenance Supervisor	8
Correctional Officer	9
Construction Inspector II	9
Deputy Sheriff	9
Deputy Sheriff First Class	9
Foreman	9
Health Care Specialist	9
Prosecution Coordinator	9
Senior Care Specialist	9
Utilities Technician II	9
Wastewater Operator II	9
Water Operator II	9
Controlled Substance Testing Coordinator	10
Corporal (Corrections)	10
Corporal (Sheriff's Office)	10
Golf Course Manager	10
Housing Program Manager	10
Land Use Planner I	10
Public Landings Supervisor	10
Roads Superintendent	10
Utilities Technician III	10
Wastewater Operator III	10
Water Operator III	10
Accountant	11
Civil Engineer I	11
Construction Supervisor	11
Landscape Architect I	11
Nutrition Program Coordinator	11
Parks Supervisor	11
Sergeant (Corrections)	11
Sergeant (Sheriff's Office)	11
Social Worker I	11
Solid Waste Supervisor	11
Utilities Shift Supervisor	11
Vehicle Service Supervisor	11
Assistant Director, Human Resources	12
Laboratory Technician	12

Land Use Planner II	12
Lieutenant (Corrections)	12
Lieutenant (Sheriff's Office)	12
Parks Superintendent	12
Roads Superintendent	12
Captain (Corrections)	13
Facilities Project Manager	13
Landscape Architect II	13
Paramedic	13
Treasury Manager	13
Chief Wastewater Operator	14
Chief Water Operator	14
Civil Engineer II	14
Supervisor, ALS	14
Utilities Collection Supervisor	14
Utility Construction Supervisor	14
Utilities System Maintenance Supervisor	14
Zoning Administrator	14
Airport Manager	15
Land Use Planner III	15

- (b) Full Time and Part Time. Positions within the Classified Service shall consist of both full and part time.

26-405. Administration.

- (a) The Human Resources Department shall be responsible for administering and maintaining the position classification plan so that it accurately reflects the duties performed by employees in the classes to which their positions are allocated. Department directors shall be responsible for bringing to the attention of the Director of Human Resources;
- (1) The need for new positions; and
  - (2) Any material changes, either increases or decreases, in the nature, complexity, quantity or quality of duties, responsibilities, or working conditions affecting the classification of a position.
- (b) New positions shall be established upon recommendation of the Human Resources Director with the approval of the County Commissioners.

- (c) The Human Resources Department shall audit one third of the position classes in the classification plan each year.
- (d) When the Human Resources Department finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the existing class specification shall be revised. The County Administrator shall recommend amendments to the position classification plan that;
  - (1) Change the salary range of the existing class of positions;
  - (2) Reallocate the position to the appropriate class within the existing classification plan, or
  - (3) Establish a new class to which the position may be allocated.

26-406. Amendment of the Position Classification Plan. The County Commissioners shall approve a change in salary range for a class of positions, the reallocation of the position to an appropriate class, and additions to and deletions from the existing position classification plan based on the recommendation of the County Administrator.

26-407. Hours of Work. Members of the Classified Service:

- (a) Shall work a fixed work schedule consisting of forty (40) hours per work week as determined by the director of the department to which they are assigned; and
- (b) Are covered by the provisions of the Fair Labor Standards Act. Thus, persons occupying positions in this Service shall be entitled to earn overtime compensation.

26-408. Establishment of Pay Schedule.

- (a) Classified Service Full Time Salary Schedule. The Classified Employees Full Time Salary Schedule is hereby established. This salary schedule shall constitute the pay grades and equivalent rates of pay for all positions within the Classified Service as follows:

**CLASSIFIED SERVICE FULL TIME SALARY SCHEDULE**

	Step	1	2	3	4	5	6	7	8	9	10	11	12	L1	L2	L3
<b>Pay</b>																
<b>Grade</b>																
<b>A</b>		11,102	11,379	11,664	11,955	12,254	12,561	12,875	13,196	13,526	13,865	14,211	14,566	15,295	16,059	16,861
<b>B</b>		12,002	12,302	12,609	12,925	13,248	13,579	13,918	14,266	14,623	14,989	15,363	15,747	16,535	17,362	18,231
<b>C</b>		12,975	13,299	13,632	13,973	14,322	14,680	15,047	15,423	15,809	16,204	16,609	17,024	17,876	18,769	19,704
<b>1</b>		14,027	14,378	14,737	15,106	15,483	15,870	16,267	16,674	17,091	17,518	17,956	18,405	19,325	20,291	21,304
<b>2</b>		15,079	15,456	15,842	16,238	16,644	17,061	17,487	17,924	18,372	18,832	19,302	19,785	20,774	21,813	22,904
<b>3</b>		16,210	16,615	17,031	17,456	17,893	18,340	18,799	19,269	19,750	20,244	20,750	21,269	22,332	23,449	24,624
<b>4</b>		17,425	17,861	18,307	18,765	19,234	19,715	20,208	20,713	21,231	21,761	22,305	22,863	24,006	25,207	26,464
<b>5</b>		18,732	19,200	19,680	20,172	20,677	21,194	21,723	22,266	22,823	23,394	23,979	24,578	25,807	27,097	28,454
<b>6</b>		20,138	20,641	21,157	21,686	22,229	22,784	23,354	23,938	24,536	25,150	25,778	26,423	27,744	29,131	30,584
<b>7</b>		21,649	22,190	22,745	23,314	23,896	24,494	25,106	25,734	26,377	27,037	27,713	28,405	29,826	31,317	32,884
<b>8</b>		23,272	23,854	24,450	25,061	25,688	26,330	26,988	27,663	28,355	29,064	29,790	30,535	32,062	33,665	35,344
<b>9</b>		25,017	25,642	26,283	26,941	27,614	28,304	29,012	29,737	30,481	31,243	32,024	32,824	34,466	36,189	37,994
<b>10</b>		26,894	27,566	28,256	28,962	29,686	30,428	31,189	31,969	32,768	33,587	34,427	35,287	37,052	38,904	40,844
<b>11</b>		28,910	29,633	30,374	31,133	31,911	32,709	33,527	34,365	35,224	36,105	37,007	37,932	39,829	41,820	43,914
<b>12</b>		31,079	31,856	32,652	33,469	34,305	35,163	36,042	36,943	37,867	38,813	39,784	40,778	42,817	44,958	47,204
<b>13</b>		33,409	34,244	35,100	35,978	36,877	37,799	38,744	39,713	40,706	41,723	42,766	43,836	46,027	48,329	50,744
<b>14</b>		35,914	36,812	37,732	38,675	39,642	40,633	41,649	42,690	43,758	44,852	45,973	47,122	49,478	51,952	54,554
<b>15</b>		38,608	39,573	40,563	41,577	42,616	43,681	44,773	45,893	47,040	48,216	49,422	50,657	53,190	55,849	58,644

(b) Part Time Pay Schedule. The Classified Employees Part Time Salary Schedule is hereby established. This salary schedule shall constitute the pay grades and equivalent rates of pay for all positions within the Classified Service as follows:

**CLASSIFIED SERVICE PART TIME (HOURLY) SALARY SCHEDULE**

Pay	Step	1	2	3	4	5	6	7	8	9	10	11	12	L1	L2	L3
Grade																
A		5.34	5.47	5.61	5.75	5.89	6.04	6.19	6.34	6.50	6.67	6.83	7.00	7.35	7.72	8.11
B		5.77	5.91	6.06	6.21	6.37	6.53	6.69	6.86	7.03	7.21	7.39	7.57	7.95	8.35	8.76
C		6.24	6.39	6.55	6.72	6.89	7.06	7.23	7.41	7.60	7.79	7.99	8.18	8.59	9.02	9.47
1		6.74	6.91	7.09	7.26	7.44	7.63	7.82	8.02	8.22	8.42	8.63	8.85	9.29	9.76	10.24
2		7.25	7.43	7.62	7.81	8.00	8.20	8.41	8.62	8.83	9.05	9.28	9.51	9.99	10.49	11.01
3		7.79	7.99	8.19	8.39	8.60	8.82	9.04	9.26	9.50	9.73	9.98	10.23	10.74	11.27	11.84
4		8.38	8.59	8.80	9.02	9.25	9.48	9.72	9.96	10.21	10.46	10.72	10.99	11.54	12.12	12.72
5		9.01	9.23	9.46	9.70	9.94	10.19	10.44	10.71	10.97	11.25	11.53	11.82	12.41	13.03	13.68
6		9.68	9.92	10.17	10.43	10.69	10.95	11.23	11.51	11.80	12.09	12.39	12.70	13.34	14.01	14.71
7		10.41	10.67	10.94	11.21	11.49	11.78	12.07	12.37	12.68	13.00	13.32	13.66	14.34	15.06	15.81
8		11.19	11.47	11.75	12.05	12.35	12.66	12.98	13.30	13.63	13.97	14.32	14.68	15.41	16.18	16.99
9		12.03	12.33	12.64	12.95	13.28	13.61	13.95	14.30	14.65	15.02	15.40	15.78	16.57	17.40	18.27
10		12.93	13.25	13.58	13.92	14.27	14.63	14.99	15.37	15.75	16.15	16.55	16.97	17.81	18.70	19.64
11		13.90	14.25	14.60	14.97	15.34	15.73	16.12	16.52	16.93	17.36	17.79	18.24	19.15	20.11	21.11
12		14.94	15.32	15.70	16.09	16.49	16.91	17.33	17.76	18.21	18.66	19.13	19.60	20.59	21.61	22.70
13		16.06	16.46	16.88	17.30	17.73	18.17	18.63	19.09	19.57	20.06	20.56	21.07	22.13	23.23	24.40
14		17.27	17.70	18.14	18.59	19.06	19.54	20.02	20.52	21.04	21.56	22.10	22.65	23.79	24.98	26.23
15		18.56	19.03	19.50	19.99	20.49	21.00	21.53	22.06	22.62	23.18	23.76	24.35	25.57	26.85	28.19

26-409. Cost of Living Changes.

(a) Adjustments to Classified Employees Salary Schedule.

- (1) The Classified Employees Salary Schedule may be adjusted from time to time by the County Commissioners to account for any increases in the cost of living. Such adjustments, if any, shall be based upon the annual study conducted by the Director of Human Resources designed to identify any changes in the Consumer Price Index maintained by the United States Department of Labor (CPI-U for the Baltimore-Washington standard metropolitan statistical area).
- (2) As part of the annual operating budget process, the County Commissioners shall review the cost of living statistics for the preceding fiscal year furnished by the Director of Human Resources and, thereafter, may continue or amend all County salary schedules for the forthcoming fiscal year.

(b) Adjustments to Salaries of Existing Employees. Whenever the Commissioners adopt a new salary schedule in response to a change in the cost of living, employees shall continue to be paid within the same grades and at the same steps in those grades, but at the new pay rates.

26-410. Labor Market Comparability.

(a) Pay Survey. To establish and maintain a compensation program which is competitive with other employers in the labor market, at least once every three years, the Director of Human Resources shall obtain or conduct a pay survey in the labor market of prevailing wage rates for the following benchmark positions. Thereafter, the Director of Human Resources shall, if warranted by the survey results, recommend that the County Commissioners adopt a percentage adjustment to the Classified Employees Salary Schedule in an amount equivalent to the average difference between the salary of the County benchmark positions and those of the labor market. The benchmark positions for the Classified Service shall consist of the following:

- (1) Accountant I (Entry-level)

- (2) Clerk Typist I
- (3) Civil Engineer I
- (4) Computer Technician I
- (5) Correctional Officer
- (6) Custodian
- (7) Deputy Sheriff (Police Officer)
- (8) Equipment Operator I (Public Works)
- (9) Foreman (Public Works)
- (10) Senior Land Use Planner
- (11) Maintenance Worker I
- (12) Office Supervisor/Administrative Assistant
- (13) Paramedic
- (14) Public Safety Dispatcher I
- (15) Secretary
- (16) Lieutenant (Police)
- (17) Water Operator I
- (18) Wastewater Operator I
- (19) Zoning Administrator

- (b) Study Outcome. At the conclusion of the study, the Director of Human Resources shall make recommendations to the County Commissioners for appropriate salary schedule adjustments using the average difference, if any, between the labor market wages and those paid by Queen Anne's County.
- (c) Salary Schedule Adjustment. In order to maintain internal balance within the Queen Anne's County Civil Service, any adjustment to a County salary schedule shall be effected by an increase derived from a percentage applied to all grades. When the General Salary Schedule is adjusted to reflect labor market conditions, employees shall continue

to be paid within the same grades and at the same steps in those grades, but at the new pay rates.

26-411. Salary Upon Initial Appointment.

- (a) Policy. Upon initial appointment to the Civil Service, it is the policy of Queen Anne's County to compensate employees in an amount equal to the first step of the pay grade of the position to which they have been appointed.
- (b) Advanced Placement. Based upon a prospective employee's unique qualifications in terms of previous work experience; relevant knowledge, skills and abilities; level of total compensation received from a previous employer; superior qualifications of the applicant; a shortage of qualified applicants available at the hiring rate; or the refusal of qualified applicants to accept employment at the minimum salary, a new employee may be appointed at an annual salary equal to any of steps one through 12 within the applicable pay grade for the position to which the employee is to be appointed.

26-412. Performance Salary Advance Within the Grades.

- (a) Annual Performance Review. The job performance of all employees shall be reviewed annually on their anniversary date through use of objective, job-related methods approved by the Director of Human Resources.
- (b) Job Performance Salary Increases. The degree to which an employee shall be entitled to receive an annual salary increase shall be dependent upon the quality of his or her work performance as reflected in the annual performance review.
  - (1) Intent. These increases are intended to:
    - (i) Recognize satisfactory or better performance on the part of the employee and are not intended to be automatic; and
    - (ii) Reflect increases in productivity and effectiveness as employees gain experience in their positions.
  - (2) Eligibility.

- (i) Full-time employees shall be eligible for consideration for a job performance salary increase depending upon their performance.
  - (ii) Part-time employees may be eligible for consideration for a job performance salary increase, if approved by the County Administrator.
  - (iii) Job performance salary increases shall be granted only to those employees who have demonstrated a proficient level of job performance.
- (3) Amount of Job Performance Increase.
- (i) A one step increase shall be awarded for an acceptable job performance evaluation;
  - (ii) A two step increase shall be awarded for an above average job performance evaluation;
  - (iii) A three step increase shall be awarded for an outstanding performance evaluation.
- (c) Budget Funds for Performance Pay Increases. The County Administrator shall each year include funds in the budget proposal to the County Commissioners for providing performance pay increases.
- (d) Unsatisfactory Performance Evaluation. An employee whose annual performance evaluation is unsatisfactory shall;
- (1) Receive no step increment on the date due;
  - (2) Be counseled as to the reasons for the unsatisfactory evaluation; and
  - (3) Within seven (7) working days after the evaluation, in conjunction with his or her immediate supervisor, develop a three (3) month Performance Improvement Plan with specific, measurable objectives.
    - (i) The Plan will include a date certain upon which a re-evaluation of the employee's overall performance and

accomplishment of the Performance Improvement Plan will be conducted; and

(ii) The employee will be given a copy of the Plan and the date upon which the re-evaluation will occur. The employee will be specifically informed that he or she may be terminated for incompetence.

(4) Be re-evaluated on the date specified in the Performance Improvement Plan;

(i) If the employee achieves the objectives set out on the Plan, he or she shall receive any step increment to which he or she may be entitled; or

(ii) If the employee fails to achieve all of the objectives set out on the Plan, he or she may be disciplined for incompetence up to and including termination.

a) If a lesser form of discipline is administered, the employee shall receive no step increment for the remainder of the year following the evaluation, and his or her eligibility for an increment during the next cycle shall depend upon the next performance evaluation.

b) Any employee receiving two (2) consecutive unsatisfactory performance evaluations may be terminated for incompetence without the necessity of the foregoing procedure.

(e) Limitation of Effect. No step increment shall be given to any employee after an employee reaches step 12 in any pay grade until such employee becomes eligible for longevity.

26-413. Salary Rate Upon Promotion. Upon receipt of a promotion, the new salary rate for the promoted employee shall be the greater of;

(a) The first step of the new pay grade; or

- (b) That step within the new pay grade which equals an increase which is at least equal to one step above the former rate.

26-414. Salary Rate Upon Lateral Transfer. The salary of an employee transferred to a position in the same class or to a position in a different class with the same salary range shall not be lowered. Under certain circumstances a transferred employee may receive a pay increase with the approval of the Director of Human Resources.

26-415. Salary Rate Upon Demotion. The salary of an employee demoted for disciplinary reasons to a position in a class with a lower salary range shall be adjusted to the maximum of the new range, or 10% below the former salary, whichever reduction in salary is less. Any employee who is placed in the position of being over maximum shall receive no cost of living or other pay increase until the pay scale advances to a point which incorporates such salary through periodic cost of living pay increases.

26-416. Salary Rate Upon Re-Classification.

- (a) Re-Classification to Higher Pay Grade. In the event an employee is re-classified to a position which is assigned to a higher pay grade than that occupied by an employee, such employee shall, on the effective date of the re-classification, be entitled to receive an increase in his or her rate of pay, without an adjustment to the anniversary date, which shall be computed as the greater of;
  - (1) The first step of the pay grade of the position to which the employee has been re-classified; or
  - (2) That step within the new pay grade which equals an increase which is at least equal to one step above the former rate.
- (b) Reclassification to a Lower Pay Grade. In the event an employee is re-classified to a position which is assigned to a lower pay grade than that occupied by an employee for non-disciplinary reasons, the employee shall be placed on the step of the pay scale which is the closest to, but lower than, the amount the employee formerly earned. If, by virtue of the assignment to a lower pay grade, the employee is over maximum salary, the employee shall receive no cost of living or other pay increase until the pay scale

advances to a point which incorporates such salary through periodic cost of living pay increases.

26-417. Salary Rate Upon Re-Allocation of Class of Work to Another Pay Grade.

- (a) Re-allocation of Class of Work With Higher Pay Grade. In the event the class of work occupied by an employee is re-allocated to a higher pay grade than that presently assigned to such class of work, employees occupying such class of work shall receive no pay increase except in the event any such employee's salary does not equate to at least step one of the new pay scale in which case such employee shall receive a salary increase in an amount to place his or her salary at step one of the new pay grade.
- (b) Re-allocation of Class of Work With Lower Pay Grade. In the event the class of work occupied by an employee is re-allocated to a lower pay grade than that presently assigned to such class of work, employees occupying such class of work shall be placed on the step of the pay scale which is closest to, but lower than, the amount the employee formerly earned. If, by virtue of the assignment to a lower pay grade, the employee is over maximum salary, the employee shall receive no cost of living or other pay increase until the pay scale advances to a point which incorporates such salary through periodic cost of living pay increases.

26-418. Change in Assigned Duties.

- (a) Equivalent Duties. The rate of an employee's pay shall not be affected by any service temporarily performed in addition to or differing from the usual duties or his or her class of work provided such service:
  - (1) Is generally equivalent to those routinely performed by the employee or by other employees who occupy positions which are assigned to the same pay grade as the position occupied by the employee;
  - (2) Does not require additional knowledge, skills or abilities other than those normally required of the employee; and

(3) Has been properly assigned to an employee by a supervisory authority as a result of a change in work volume, character or other conditions.

(b) Temporary Transfer Pay.

(1) An employee shall be entitled to receive temporary transfer (increased) pay:

(i) In the event a supervisory authority requires an employee, for a period of fifteen (15) days or more:

(ii) To perform the work of a person occupying a funded position within the Civil Service who, for any reason, is absent from work;

(iii) To assume all of the duties of an established class of work which is assigned to a higher pay grade than that occupied by an employee; and

(iv) To suspend the performance of other, regularly assigned duties.

(2) Temporary transfer pay shall be in an amount which shall be computed as the greater of;

(i) Step 1 of the pay grade of the position, the duties of which the employee is temporarily performing, is assigned; or

(ii) One hundred and five percent (105%) of the salary to which the employee is normally entitled.

26-419. Salary for Hazardous Duty Assignment.

(a) Eligibility and Amount. An employee shall be entitled to receive a hazardous duty allowance which shall amount to an additional five percent (5%) of the employee's regular salary or rate of pay:

(1) When such employee is assigned to perform tasks and duties which expose him or her to an immediate and substantial risk of harm, as determined by a department director in conjunction with the County Administrator; and

(2) Such duties are not those which are regularly and routinely performed by the employee.

(b) Qualifying Period of Work. Such allowance shall be paid for any work day or portion of a work day in which the tasks and duties in question are actually performed by the employee.

26-420. Overtime.

(a) Adherence to Fair Labor Standards Act (FLSA). The County abides by all applicable sections of the Fair Labor Standards Act and the Fair Labor Standards Amendments of 1986. The County will properly record all applicable overtime accrued for each covered employee. This overtime policy is applicable only to employees of Queen Anne's County who are non-exempt under the Fair Labor Standards Act.

(b) Work Period. Employees are expected to work during all assigned periods exclusive of breaks or mealtimes.

(1) Employees are not to perform work during breaks or at any time that they are not scheduled to work, unless they receive approval from their immediate supervisor, except in cases of emergency.

(2) An emergency exists if a condition arises that could reasonably result in damage to property or persons or which requires immediate attention of the employee. Employees who work excess hours due to an emergency shall advise their immediate supervisor of the overtime worked as soon as practical following completion of the work.

(c) Permission to Work Overtime Required. Except in those circumstances in which it would pose an unreasonable risk of harm to a person, or when it would pose an unreasonable risk of serious damage to property or seriously undermine the achievement of the employee's organization, an employee shall secure permission from his or her supervisory authority before working overtime.

(d) Entitlement to Overtime Compensation. Persons who are deemed non-exempt from the FLSA shall be paid overtime compensation for all overtime worked.

Designation of "Non-Exempt" or "Exempt" from the FLSA shall appear on all job descriptions.

- (1) Overtime worked includes that which was worked with express permission as well as all work which is "suffered" by the County to be performed (e.g. allowing an employee to eat at his or her desk while answering the business telephone, emergency situations as described above, etc.).
- (2) Overtime worked includes all time worked for any single department or combination of County departments or units within those departments e.g., EOC and ALS.
- (3) Overtime worked shall not include work which is performed on a volunteer basis by an employee for any independent fire company located within or outside Queen Anne's County.
- (4) Employees subject to these provisions shall have the right to receive:
  - (i) Overtime pay computed at the rate of  $1\frac{1}{2}$  times the regular hourly rate of pay for all hours worked in excess of forty (40) in any week or, in the case of law enforcement employees, for all hours worked in excess of one hundred and seventy-one (171) hours during an established twenty eight (28) day work period;
  - (ii) In the event the department to which an employee is assigned has established a written policy of awarding compensatory leave, compensatory leave accrued at the rate of  $1\frac{1}{2}$  times the hour, fraction of an hour or hours actually worked for all hours worked in excess of forty (40) in any week or, in the case of law enforcement employees, for all hours worked in excess of one hundred and seventy-one (171) hours during an established twenty eight (28) day work period, provided that:
    - a) The election of whether to receive overtime pay or compensatory leave

is exclusively that of the employees; and

- b) Compensatory leave may be accrued to the limits set forth in the FLSA.

(e) Eligibility for Overtime Compensation.

- (1) The right to receive overtime compensation only accrues to employees who are not exempt from the FLSA after they have actually worked or have used annual leave, personal leave or official leave within the regular workweek as that has been defined by the County. Accordingly, in computing the amount of an entitlement to overtime compensation, if any, sick leave taken during the period under consideration shall not be counted as hours worked.

26-421. Limitation of Effect.

- (a) Prohibition Against Exceeding Maximum Salary Rate. No salary increase as a result of a promotion, reclassification or annual performance shall result in a salary rate above the maximum rate of the grade for the position held.
- (b) No Increase in Annual Salary at Step 12. Upon reaching Step 12 in the General Salary Scale, an employee shall not receive additional yearly step increases until he or she becomes eligible for a longevity increase.
- (c) No Pay Beyond Maximum Salary Amount. Excluding overtime and hazardous duty pay, no person occupying a position within any class of work shall be paid more than the maximum amount specified by the salary schedule to which such position is assigned, with the exception of employees who, on the date of adoption of a classification study, were determined to be over maximum salary.

26-422. Longevity.

- (a) Computation of Longevity. Longevity awards shall be computed on the salary the employee is earning at Step 12 of the County's General Salary Scale.

- (b) Award of Longevity. Longevity shall be awarded on an employee's anniversary dates.
  - (1) Longevity step 1 will be awarded upon the third anniversary date after the employee enters step 12 on the Classified Employee's Pay Schedule;
  - (2) Longevity step 2 will be awarded upon the eighth anniversary date after the employee enters step 12 on the Classified Employee's Pay Schedule; and
  - (3) Longevity step 3 will be awarded upon the thirteenth anniversary date after the employee enters step 12 on the Classified Employee's Pay Schedule.

26-423. Salary of Part-Time and Temporary Employees. An employee appointed for less than full-time service shall be paid at a rate not less than the minimum for a comparable class of positions in the salary plan. If there is no comparable class of positions in the salary plan, the employee shall be paid at a rate to be approved by the Director of Human Resources.

26-424. Effective Date of Salary Adjustments.

- (a) Salary adjustments approved after the first working day of the pay period shall become effective at the beginning of the next pay period, or at specific dates as may be provided.
- (b) Job performance salary adjustments shall normally be effective the first pay period following the employee's anniversary date.

26-425. County Director of Finance to Pay Employees. At least once each year the Director of Finance or a designated representative shall personally hand each employee his or her salary check.

26-426. Payroll Deductions. Federal and State income taxes, Social Security tax, and retirement contributions shall be deducted as required by law. Additional deductions, benefits, or salary reductions may be allowed at the option of the employee. Authority to allow any other payroll deductions is vested in the County Commissioners.