
By: **Delegates Hecht and K. Kelly**
Introduced and read first time: February 15, 1999
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Standard Pay Plan - Hazardous Duty Pay**

3 FOR the purpose of requiring the Secretary of Budget and Management to adjust the
4 pay rate for a position that involves a significant potential hazard for an
5 employee; requiring the Secretary to provide comparable hazardous duty pay
6 rate adjustments for all positions similarly situated; and generally relating to
7 hazardous duty pay rate adjustments for State employees.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 8-104
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1998 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Personnel and Pensions**

16 8-104.

17 (a) (1) Pay rates in the Standard Pay Plan may be set by:

18 (i) a series of pay grades and steps within each grade;

19 (ii) fixed rates; or

20 (iii) minimum and maximum amounts.

21 (2) Pay rates in the Executive Pay Plan may be set by:

22 (i) a series of executive pay grades and steps within each grade; or

23 (ii) fixed rates.

24 (b) In setting or amending a pay rate, the Secretary shall consider:

- 1 (1) the prevailing pay rates for comparable services in private and public
2 employment;
- 3 (2) experience;
- 4 (3) living costs;
- 5 (4) benefits; and
- 6 (5) the financial condition and policies of this State.

7 (c) (1) A pay rate in either pay plan is subject to any limitations included in
8 the State budget.

9 (2) The starting pay rate for an employee whose position is in the
10 Executive Pay Plan may not exceed the pay rate set for the second step of the grade
11 specified for the position, unless:

- 12 (i) exceptional circumstances exist; and
- 13 (ii) the Board of Public Works approves the higher starting pay.

14 (3) The pay rate for a physician in the Department of Health and Mental
15 Hygiene whose position is in the Executive Pay Plan shall be set in accordance with
16 the physician-administrator pay schedule.

17 (D) (1) WHEN THE WORK ENVIRONMENT FOR A POSITION OR A GROUP OF
18 POSITIONS INVOLVES A SIGNIFICANT POTENTIAL HAZARD FOR AN EMPLOYEE, THE
19 SECRETARY SHALL:

20 (I) DETERMINE THE LEVEL OF DANGER APPLICABLE TO THE
21 WORK ENVIRONMENT; AND

22 (II) ADJUST THE PAY RATE FOR EACH POSITION SUBJECT TO THE
23 HAZARDOUS CONDITION.

24 (2) THE SECRETARY SHALL PROVIDE COMPARABLE HAZARDOUS DUTY
25 PAY RATE ADJUSTMENTS FOR ALL POSITIONS SIMILARLY SITUATED.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 July 1, 1999.