

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 876
Finance

(Senator Gladden)

State Personnel - Compensatory Time for Mentoring Youth

This bill authorizes all Executive Branch employees, except temporary employees, to earn up to eight hours of compensatory time every month for mentoring youth in a bona fide mentoring youth program. In order to earn the compensatory time, the employee must be deemed qualified to do so by the Secretary of Budget and Management and obtain approval from the employee's appointing authority. Furthermore, the Secretary of Budget and Management must adopt regulations that establish conditions and procedures that allow an employee to mentor youth including (1) requirements specifying that the employee must meet qualifications for mentoring youth; and (2) specifications about what constitutes a bona fide mentoring youth program.

Fiscal Summary

State Effect: Potential meaningful impact resulting from loss of productivity for participating employees.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In general, an employee who works more than the normal workweek for that employee's unit is entitled to compensation for that overtime work, either through overtime pay or compensatory time. By regulations consistent with the Fair Labor Standards Act, the Secretary of Budget and Management may provide that employees who would otherwise be entitled to payment for overtime work to elect to receive

compensatory time instead. In this instance, compensatory time must equal one hour for each hour of overtime work for which the employee otherwise would receive the employee's regular hourly pay, and one and a half hours for each hour of overtime work for which the employee would otherwise receive one and a half times the employee's regular hourly rate of pay. There are no provisions permitting State employees to earn compensatory time for mentoring youth.

Background: Chapter 307 of 2003 established the Task Force to Study the Mentoring and Monitoring of Children in the Custody of or Under the Supervision of the Department of Juvenile Justice. The task force studied and made recommendations regarding the feasibility of implementing volunteer mentoring programs and intensive monitoring and support programs within the Department of Juvenile Services (DJS). The task force was also charged with making recommendations about ways to help children become productively involved in school or the workplace and ways to use monitoring and mentoring programs to reduce recidivism among children who come into contact with DJS. The task force published its findings and recommendations to the Governor and the General Assembly in an October 2004 report. One of the task force's recommendations was that the State should establish administrative leave for State employees interested in mentoring DJS youth.

The task force cited the Florida Governor's Mentoring Initiative (GMI) established in 1999, to encourage volunteerism to mentor at-risk youth. As of January 2005, the program had recruited over 204,207 mentors. In fiscal 2004, 6,222 of 106,936 State of Florida employees, or approximately 5.8%, participated in GMI. Under the Florida model, state employees are authorized to take one hour of paid administrative leave per week to be mentors, with a maximum of five hours of paid leave per month.

State Fiscal Effect: The Department of Budget and Management (DBM) advises that it would require at least six months to develop and implement regulations regarding the earning of compensatory time for mentoring youth. It is assumed that the costs associated with developing these regulations can be handled with existing resources.

There are 74,132 regular full-time positions in the Executive Branch of State government, including higher education. Assuming that only 5% (3,707) of these employees were eligible and earned eight hours of compensatory leave each month for mentoring youth, it would equal 355,872 work hours annually. At an average annual salary of approximately \$42,609 (the average State employee salary for fiscal 2004), or \$20.49 per hour, the cost of the leave would be approximately \$7.3 million. While the salaries for these employees would have already been budgeted, there would be a loss of productivity associated with this compensatory leave and employee overtime may be required to cover the individual on leave in some instances. The impact of the leave would vary by unit, and depends on how many employees the unit had, and whether the work of the individual on leave needs

to be covered by other staff, working overtime or not. This estimate assumes that employees would earn compensatory time hour for hour for time spent mentoring youth under this program.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), University System of Maryland, Maryland Department of Transportation, Department of Budget and Management, Department of Legislative Services

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mp/rhh

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