

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 986
Appropriations

(Delegate Rosenberg, *et al.*)

State Personnel - Compensatory Time for Mentoring Youth

This bill authorizes all non-temporary Executive Branch 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 that the employee meet qualifications for mentoring youth; and (2) specifications about what constitutes a bona fide mentoring youth program. The total value of compensatory time awarded for mentoring youth may not exceed \$250,000 in each fiscal year.

The bill takes effect October 1, 2006 and terminates September 30, 2009.

Fiscal Summary

State Effect: Potential minimal impact resulting from loss of productivity for participating employees. Revenues would not be affected.

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 one-half hours for each hour of overtime work for which the employee would otherwise receive one and one-half times the employees 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 2005, 4,265 of 105,175 State of Florida employees, or approximately 4.1%, 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.

Exhibit 1 shows the total number of hours of used and lost leave by Executive Branch employees, excluding higher education, during calendar year 2004.

Exhibit 1
Executive Branch Leave
Calendar 2004

Leave Hours Used

Type of Leave	Hours Used
Annual Leave	6,415,986
Compensatory Time	1,746,199
Sick Leave	5,186,654
Personal Leave	2,128,390
Total	15,477,229

Leave Hours Lost

Type of Leave	Hours Lost
Annual Leave	123,665
Compensatory Time	128,072
Personal Leave	95,374
Total	347,111

Source: *Annual Personnel Report, Fiscal Year 2005*, Department of Budget and Management

State Fiscal Effect: As of June 30, 2005, the average annual salary of an employee in the State Personnel Management System (SPMS) was \$42,746, or \$20.55 per hour. Given the average hourly salary of an SPMS employee and the \$250,000 annual cap on the value of this compensatory leave, the number of compensatory hours that would be allowed would be approximately 12,165. While the precise impact in terms of lost productivity cannot be reliably quantified at this time, since the compensatory hours would be used across all agencies in the Executive Branch, and given the limited maximum value of this compensatory leave, it is assumed that that any loss of productivity would be minimal.

Additional Information

Prior Introductions: A similar bill, SB 876, was introduced during the 2005 session. The bill received an unfavorable report from the Finance Committee.

Cross File: SB 260 (Senators Gladden and Jones) – Finance.

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

Fiscal Note History: First Reader - February 15, 2006
mll/ljm

Analysis by: Joshua A. Watters

Direct Inquiries to:
(410) 946-5510
(301) 970-5510