

HOUSE BILL 702

P4

5lr1683
CF SB 657

By: **Delegates Jones, Frick, Anderson, Chang, Glenn, Gutierrez, Haynes, Platt, Proctor, Sophocleus, and Zucker**

Introduced and read first time: February 12, 2015

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Programs to Improve Employee to Supervisor or Manager**
3 **Ratios**

4 FOR the purpose of requiring the Secretary of Budget and Management and the Secretary
5 of Transportation to establish goals and standards for the ratio of employees to
6 supervisors or managers; requiring the Secretary of Budget and Management, the
7 Secretary of Transportation, and the governing boards of State institutions of higher
8 education to establish a program to improve the ratio of certain State employees to
9 supervisors or managers beginning on certain dates; specifying certain goals for
10 establishing reasonable ratios of certain State employees to certain supervisors or
11 managers; requiring the waiver of certain program requirements under certain
12 circumstances; requiring certain reports to the Governor and the General Assembly
13 on or before a certain date each year; providing for the contents of the reports; and
14 generally relating to programs to improve the ratio of State employees to supervisors
15 or managers.

16 BY repealing and reenacting, with amendments,
17 Article – State Personnel and Pensions
18 Section 4–107
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2014 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Transportation
23 Section 2–103.4(a)
24 Annotated Code of Maryland
25 (2008 Replacement Volume and 2014 Supplement)

26 BY adding to
27 Article – Transportation

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 2–103.4(b)(4)
2 Annotated Code of Maryland
3 (2008 Replacement Volume and 2014 Supplement)

4 BY adding to
5 Article – Education
6 Section 12–111(d), 14–104(h)(5), 14–408(d), and 16–510(c)
7 Annotated Code of Maryland
8 (2014 Replacement Volume and 2014 Supplement)

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

11 **Article – State Personnel and Pensions**

12 4–107.

13 **(A)** For efficiency and economy in State government, the Secretary shall:

14 (1) conduct reviews of positions in the State Personnel Management
15 System; [and]

16 (2) recommend to the appointing authority a plan of reorganization,
17 reassignment, or elimination of the positions reviewed; **AND**

18 **(3) ESTABLISH GOALS AND STANDARDS FOR THE RATIO OF**
19 **EMPLOYEES TO SUPERVISORS OR MANAGERS.**

20 **(B) (1) IN THIS SUBSECTION, “SPAN OF CONTROL” MEANS THE RATIO OF**
21 **STATE EMPLOYEES PER SUPERVISOR OR MANAGER.**

22 **(2) IT IS THE GOAL OF THE STATE TO ESTABLISH A REASONABLE SPAN**
23 **OF CONTROL IN EACH UNIT IN THE STATE PERSONNEL MANAGEMENT SYSTEM.**

24 **(3) THE SECRETARY, IN COLLABORATION WITH THE HEADS OF ALL**
25 **UNITS IN THE STATE PERSONNEL MANAGEMENT SYSTEM, SHALL ESTABLISH A**
26 **PROGRAM TO IMPROVE THE SPAN OF CONTROL IN EFFECT AS OF JULY 1, 2015, IN**
27 **EACH UNIT IN THE STATE PERSONNEL MANAGEMENT SYSTEM TO THE FOLLOWING:**

28 **(I) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, A SPAN OF**
29 **CONTROL OF 14 STATE EMPLOYEES PER SUPERVISOR OR MANAGER; AND**

30 **(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, A SPAN OF**
31 **CONTROL OF 15 STATE EMPLOYEES PER SUPERVISOR OR MANAGER.**

1 **(4) THE SECRETARY SHALL WAIVE THE REQUIREMENTS OF THIS**
2 **SUBSECTION ON A REQUEST FROM A UNIT:**

3 **(I) WITH 28 OR FEWER POSITIONS;**

4 **(II) THAT REQUIRES A DIFFERENT RATIO MANDATED BY**
5 **FEDERAL LAW; OR**

6 **(III) THAT MEETS THE CRITERIA ESTABLISHED BY THE**
7 **SECRETARY BY REGULATION FOR AN EXCEPTION.**

8 **(5) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE SECRETARY**
9 **SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE**
10 **STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY REGARDING:**

11 **(I) THE EFFECT OF THE PROGRAM REQUIRED UNDER**
12 **PARAGRAPH (3) OF THIS SUBSECTION ON:**

13 **1. THE COMPOSITION OF THE STATE WORKFORCE;**

14 **2. COST SAVINGS FOR STATE GOVERNMENT; AND**

15 **3. GOVERNMENT EFFICIENCY; AND**

16 **(II) ANY OTHER OUTCOMES THE SECRETARY CONSIDERS TO BE**
17 **SIGNIFICANT.**

18 **Article – Transportation**

19 2-103.4.

20 (a) Without regard to the laws of this State relating to other State employees, the
21 Secretary of Transportation may establish a human resources management system for
22 employees of the Department and its units. Any human resources management system that
23 the Secretary establishes under this section shall:

24 (1) Be based on merit;

25 (2) Include fair and equitable procedures for appointment, hiring,
26 promotion, layoff, removal, termination, redress of grievances, and reinstatement of
27 employees;

28 (3) Include consideration of hiring a contractual employee to fill a vacant
29 position in the same or similar classification in which the contractual employee is employed;
30 [and]

1 (4) Permit employees to participate in the pension and retirement systems
2 for employees of the State of Maryland authorized under Division II of the State Personnel
3 and Pensions Article or any other pension and retirement systems authorized by law; AND

4 (5) ESTABLISH GOALS AND STANDARDS FOR THE RATIO OF
5 EMPLOYEES TO SUPERVISORS OR MANAGERS.

6 (b) (4) (I) IN THIS PARAGRAPH, "SPAN OF CONTROL" MEANS THE
7 RATIO OF STATE EMPLOYEES PER SUPERVISOR OR MANAGER.

8 (II) IT IS THE GOAL OF THE DEPARTMENT TO ESTABLISH A
9 REASONABLE SPAN OF CONTROL IN EACH UNIT IN THE DEPARTMENT.

10 (III) THE SECRETARY, IN COLLABORATION WITH THE HEADS OF
11 ALL UNITS IN THE DEPARTMENT, SHALL ESTABLISH A PROGRAM TO IMPROVE THE
12 SPAN OF CONTROL IN EFFECT AS OF JULY 1, 2015, IN EACH UNIT IN THE
13 DEPARTMENT TO THE FOLLOWING:

14 1. FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, A
15 SPAN OF CONTROL OF 14 STATE EMPLOYEES PER SUPERVISOR OR MANAGER; AND

16 2. FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, A
17 SPAN OF CONTROL OF 15 STATE EMPLOYEES PER SUPERVISOR OR MANAGER.

18 (IV) THE SECRETARY SHALL WAIVE THE REQUIREMENTS OF
19 THIS PARAGRAPH ON A REQUEST FROM A UNIT:

20 1. WITH 28 OR FEWER POSITIONS;

21 2. THAT REQUIRES A DIFFERENT RATIO MANDATED BY
22 FEDERAL LAW; OR

23 3. THAT MEETS THE CRITERIA ESTABLISHED BY THE
24 SECRETARY BY REGULATION FOR AN EXCEPTION.

25 (V) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE
26 SECRETARY SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH §
27 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY
28 REGARDING:

29 1. THE EFFECT OF THE PROGRAM REQUIRED UNDER
30 SUBPARAGRAPH (III) OF THIS PARAGRAPH ON:

- 1 A. **THE COMPOSITION OF THE STATE WORKFORCE;**
- 2 B. **COST SAVINGS FOR STATE GOVERNMENT; AND**
- 3 C. **GOVERNMENT EFFICIENCY; AND**
- 4 2. **ANY OTHER OUTCOMES THE SECRETARY CONSIDERS**
- 5 **TO BE SIGNIFICANT.**

Article – Education

7 12–111.

8 **(D) (1) IN THIS SUBSECTION, “SPAN OF CONTROL” HAS THE MEANING**
9 **STATED IN § 4–107(B)(1) OF THE STATE PERSONNEL AND PENSIONS ARTICLE.**

10 **(2) THE BOARD OF REGENTS SHALL ESTABLISH A SPAN OF CONTROL**
11 **PROGRAM THAT:**

12 **(I) IS APPROPRIATE FOR A UNIVERSITY SETTING; AND**

13 **(II) INCLUDES THE GOALS, TIMELINES, WAIVER PROVISIONS,**
14 **AND REPORTING REQUIREMENTS UNDER § 4–107(B) OF THE STATE PERSONNEL**
15 **AND PENSIONS ARTICLE.**

16 14–104.

17 **(h) (5) (I) IN THIS PARAGRAPH, “SPAN OF CONTROL” HAS THE**
18 **MEANING STATED IN § 4–107(B)(1) OF THE STATE PERSONNEL AND PENSIONS**
19 **ARTICLE.**

20 **(II) THE BOARD OF REGENTS SHALL ESTABLISH A SPAN OF**
21 **CONTROL PROGRAM THAT:**

22 1. **IS APPROPRIATE FOR A UNIVERSITY SETTING; AND**

23 2. **INCLUDES THE GOALS, TIMELINES, WAIVER**
24 **PROVISIONS, AND REPORTING REQUIREMENTS UNDER § 4–107(B) OF THE STATE**
25 **PERSONNEL AND PENSIONS ARTICLE.**

26 14–408.

27 **(D) (1) IN THIS SUBSECTION, “SPAN OF CONTROL” HAS THE MEANING**
28 **STATED IN § 4–107(B)(1) OF THE STATE PERSONNEL AND PENSIONS ARTICLE.**

1 **(2) THE BOARD OF TRUSTEES SHALL ESTABLISH A SPAN OF CONTROL**
2 **PROGRAM THAT:**

3 **(I) IS APPROPRIATE FOR A UNIVERSITY SETTING; AND**

4 **(II) INCLUDES THE GOALS, TIMELINES, WAIVER PROVISIONS,**
5 **AND REPORTING REQUIREMENTS UNDER § 4-107(B) OF THE STATE PERSONNEL**
6 **AND PENSIONS ARTICLE.**

7 16-510.

8 **(C) (1) IN THIS SUBSECTION, “SPAN OF CONTROL” HAS THE MEANING**
9 **STATED IN § 4-107(B)(1) OF THE STATE PERSONNEL AND PENSIONS ARTICLE.**

10 **(2) THE BOARD OF TRUSTEES SHALL ESTABLISH A SPAN OF CONTROL**
11 **PROGRAM THAT:**

12 **(I) IS APPROPRIATE FOR A COMMUNITY COLLEGE SETTING;**
13 **AND**

14 **(II) INCLUDES THE GOALS, TIMELINES, WAIVER PROVISIONS,**
15 **AND REPORTING REQUIREMENTS UNDER § 4-107(B) OF THE STATE PERSONNEL**
16 **AND PENSIONS ARTICLE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2015.