

SENATE BILL 556

P4

8lr2736
CF HB 504

By: **Senators Manno, Feldman, Madaleno, Mathias, Oaks, and Rosapepe**

Introduced and read first time: January 31, 2018

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Compensation – Shift Differential Pay**

3 FOR the purpose of requiring that certain employees in the State Personnel Management
4 System are entitled to certain rates of shift differential pay; authorizing the
5 Secretary of Budget and Management to adopt certain regulations to increase certain
6 rates of shift differential pay; and generally relating to shift differential pay for State
7 employees.

8 BY repealing and reenacting, with amendments,
9 Article – State Personnel and Pensions
10 Section 8–201
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2017 Supplement)

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

15 **Article – State Personnel and Pensions**

16 8–201.

17 (a) This section applies to all employees in the State Personnel Management
18 System.

19 (b) (1) An employee subject to this section is entitled to extra pay, known as
20 shift differential pay, if the employee:

21 (i) is employed in a position designated for this purpose; and

22 (ii) works on a shift that starts on or after 2:00 p.m. and on or before
23 1:00 a.m.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A State–employed fire fighter is entitled to shift differential pay for
2 qualifying hours if the fire fighter works on a shift of at least 8 hours, regardless of the time
3 that the shift starts.

4 (c) **(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
5 **SHIFT DIFFERENTIAL PAY TO AN EMPLOYEE CLASSIFIED AT A PAY GRADE OF 17 OR**
6 **BELOW SHALL BE PAID AT A RATE OF \$2.00 PER HOUR.**

7 **(2) SHIFT DIFFERENTIAL PAY SHALL BE PAID TO:**

8 **(i) A REGISTERED NURSE CLASSIFIED AT A PAY GRADE OF 19**
9 **OR BELOW AT ANY STATE INSTITUTION AND A REGISTERED NURSE CLASSIFIED AT A**
10 **PAY GRADE OF 20 AT CLIFTON T. PERKINS HOSPITAL CENTER AT A RATE OF:**

11 1. **\$2.60 PER HOUR FOR AN EVENING SHIFT; AND**

12 2. **\$2.00 PER HOUR FOR A NIGHT SHIFT; AND**

13 **(ii) A SWORN POLICE OFFICER, A FIRE MARSHAL, AND, AT THE**
14 **DEPARTMENT OF TRANSPORTATION, A FIREFIGHTER, AT A RATE OF \$1.00 PER**
15 **HOUR.**

16 **(3) THE SECRETARY MAY ADOPT REGULATIONS TO INCREASE THE**
17 **SHIFT DIFFERENTIAL PAY RATES IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.**

18 **(D) (1)** The Secretary shall adopt regulations for the payment of shift
19 differential pay.

20 (2) The regulations adopted under this section shall provide for fairness
21 and equity among all employees in consideration of:

22 (i) the hours worked;

23 (ii) conditions and places of employment;

24 (iii) prevailing practices in the locality; and

25 (iv) other factors that the Secretary considers relevant under the
26 circumstances.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
28 1, 2018.