

HOUSE BILL 1240

P4, J1

9lr2480
CF SB 730

By: ~~Delegates Acevero, Bhandari, Haynes, Hettleman, Hill, R. Lewis, McKay,~~
~~Reznik, Sample-Hughes, Solomon, Sydnor, Terrasa, and P. Young~~

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2019

CHAPTER _____

1 AN ACT concerning

2 **State Personnel – ~~Maryland Department of Health~~ – Merit Pay Rates**

3 FOR the purpose of ~~requiring the pay ranges for certain employee position classifications~~
4 ~~to be equal; providing that a certain provision of law may not be construed to~~
5 ~~decrease the pay rate of any employee; requiring that the pay rate for a certain~~
6 ~~employee in the Behavioral Health Administration or the Developmental Disabilities~~
7 ~~Administration be at least a certain number of grades higher than a certain pay rate~~
8 ~~effective on a certain date~~ requiring the Governor to include a certain appropriation
9 in the budget for merit pay increases for certain permanent employees in the
10 Executive Branch of State government in a certain fiscal year; providing that the
11 provisions of this Act may not be construed to prohibit the negotiation of certain
12 economic terms of a memorandum of understanding; and generally relating to merit
13 pay ~~rates~~ increases for State employees in the ~~Maryland Department of Health~~
14 Executive Branch of State government.

15 BY adding to

16 Article – State Personnel and Pensions

17 Section 8–203

18 Annotated Code of Maryland

19 (2015 Replacement Volume and 2018 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – State Personnel and Pensions

8-203.

~~(A) (1) THIS SUBSECTION APPLIES ONLY TO THE FOLLOWING EMPLOYEES WHO ARE REQUIRED AS A CONDITION OF EMPLOYMENT TO COMPLETE A CORRECTIONAL TRAINING COURSE APPROVED BY THE CORRECTIONAL TRAINING COMMISSION UNDER TITLE 8, SUBTITLE 2 OF THE CORRECTIONAL SERVICES ARTICLE;~~

~~(I) AN EMPLOYEE IN A POSITION CLASSIFIED AS A SECURITY ATTENDANT AT THE CLIFTON T. PERKINS HOSPITAL; AND~~

~~(II) AN EMPLOYEE IN A POSITION CLASSIFIED AS A CORRECTIONAL OFFICER IN THE DIVISION OF CORRECTIONS.~~

~~(2) THE PAY RANGE FOR SECURITY ATTENDANTS SHALL BE EQUAL TO THE PAY RANGE FOR CORRECTIONAL OFFICERS.~~

~~(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO DECREASE THE PAY RATE OF ANY EMPLOYEE A PERMANENT EMPLOYEE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT WHO IS NOT:~~

~~(1) IN A BARGAINING UNIT THAT HAS AGREED TO AND RATIFIED THE ECONOMIC TERMS OF A MEMORANDUM OF UNDERSTANDING FOR FISCAL YEAR 2020; OR~~

~~(2) (I) ELECTED TO A POSITION BY POPULAR VOTE;~~

~~(II) IN A POSITION BY ELECTION OR APPOINTMENT THAT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION; OR~~

~~(III) INCLUDED IN THE EXECUTIVE PAY PLAN.~~

~~(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PAY RATE FOR AN EMPLOYEE IN THE BEHAVIORAL HEALTH ADMINISTRATION OR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION SHALL BE AT LEAST TWO GRADES HIGHER THAN THE EMPLOYEE'S PAY RATE EFFECTIVE JUNE 30, 2019, IF:~~

~~(1) THE EMPLOYEE WORKS AT A FACILITY THAT HAD A FORENSIC ADMISSION RATE GREATER THAN 75% FOR THE IMMEDIATELY PRECEDING FISCAL YEAR; AND~~

~~(2) THE EMPLOYEE IS IN A POSITION CLASSIFIED AS:~~

- 1 ~~(I) A DIRECT CARE ASSISTANT;~~
- 2 ~~(II) A DEVELOPMENTAL DISABILITY ASSOCIATE;~~
- 3 ~~(III) A LICENSED PRACTICAL NURSE;~~
- 4 ~~(IV) A SOCIAL WORKER;~~
- 5 ~~(V) A PSYCHOLOGIST;~~
- 6 ~~(VI) A PSYCHOLOGY ASSOCIATE; OR~~

7 ~~(VII) A BUILDING SECURITY ATTENDANT~~ GOVERNOR SHALL
 8 INCLUDE AT LEAST \$94,178,000 FROM ANY FUND SOURCE IN THE FISCAL 2021
 9 BUDGET FOR THE PURPOSE OF PROVIDING A MERIT PAY INCREASE FOR ANY
 10 EMPLOYEE DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION WHOSE OVERALL
 11 PERFORMANCE IS RATED SATISFACTORY OR ABOVE ON THE EMPLOYEE'S ANNUAL
 12 PERFORMANCE APPRAISAL.

13 (C) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN EXCLUSIVE
 14 REPRESENTATIVE AND AN EMPLOYER FROM NEGOTIATING ANY ECONOMIC TERMS
 15 OF A MEMORANDUM OF UNDERSTANDING THAT EXCEED THE MERIT PAY INCREASES
 16 REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 18 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.