

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 64

(Chair, Finance Committee)(By Request - Departmental -
Maryland School for the Deaf)

Finance

Appropriations

Maryland School for the Deaf - Employees - Annual and Personal Leave

This departmental bill eliminates annual leave and alters the personal leave policy for Maryland School for the Deaf (MSD) employees who work 11 months or less in a calendar year. These employees are entitled to 3 days, not to exceed 24 hours, of personal leave with pay at the beginning of the first full pay period of the calendar year instead of being entitled to personal and annual leave as specified for employees in the State Personnel Management System (SPMS). **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None.

Small Business Effect: MSD has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: Employees in SPMS, except temporary employees, are generally entitled to six days, not to exceed 48 hours, of personal leave with pay at the beginning of the first full pay period of the calendar year. If an employee begins employment on or after March 1, the number of personal days is reduced, based on the employee's start date. Personal leave may be used for any purpose, generally, after notice is given to the employee's immediate supervisor.

Employees in SPMS, except temporary employees, also earn annual leave. Annual leave accruals are based on the employee's years of service, which ranges from a maximum of 80 hours of annual leave each year for employees with less than 5 years of service to a maximum of 200 hours of annual leave each year for employees with at least 20 years of service. Annual leave may be used for any reason, upon supervisor approval. Employees in SPMS may accrue and carry over up to 600 hours of annual leave each year; except for employees covered by collective bargaining agreements, employees are entitled to compensation for unused annual leave when they end employment with the State.

Background: Since 1979, the Department of Budget and Management and MSD have had a standing agreement that MSD teachers do not earn annual leave since they are paid for all of the school calendar breaks. MSD employees who work 11 months or less currently receive 3 days of personal leave and are paid for winter and spring break, similar to teachers employed by local school systems. (MSD is a State institution.)

MSD employees who work 12 months, such as the Superintendent, receive annual and personal leave as specified for SPMS employees.

MSD advises that if MSD employees who work 11 months or less were to receive leave as specified for SPMS employees, MSD would incur significant costs as a result of hiring substitute teachers and compensating employees for unused annual leave when employees terminate employment. Additionally, finding substitute teachers can be challenging since MSD teachers must be fluent in American Sign Language.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland School for the Deaf; Department of Budget and Management; Department of Legislative Services

Fiscal Note History: First Reader - January 21, 2019
mm/mcr Third Reader - February 1, 2019

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Maryland School for the Deaf – Employees – Annual and Personal Leave

BILL NUMBER: SB 64

PREPARED BY: James E. Tucker, Superintendent, Maryland School for the Deaf; William H. Fields, Assistant Attorney General and Anny Currin, Personnel Director, Maryland School for the Deaf

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

X WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

___ WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

This Bill will have no economic impact on Maryland Small Businesses because it pertains to Annual and Personal Leave for Maryland School for the Deaf employees.