

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2018 Legislative Session**

Bill No. CB-9-2018

Chapter No. 33

Proposed and Presented by The Chair (by request – County Executive)

Introduced by Council Members Harrison, Davis, Taveras, Franklin, Patterson and Turner

Co-Sponsors \_\_\_\_\_

Date of Introduction July 24, 2018

**BILL**

1 AN ACT concerning

2 Personnel Law

3 For the purpose of amending provisions of the Personnel Law relating to salary policy,  
4 adjustments and rates to provide flexibility to ensure salary equity among employees who  
5 perform similar work.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 16. PERSONNEL.

8 Sections 16-123, 16-127, 16-131, 16-132,

9 16-133, 16-135 and 16-137

10 The Prince George's County Code

11 (2015 Edition; 2017 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
13 Maryland, that Sections 16-123, 16-127, 16-131, 16-132, 16-133, 16-135 and 16-137 of the  
14 Prince George's County Code be and the same are hereby repealed and reenacted with the  
15 following amendments:

16 **SUBTITLE 16. PERSONNEL.**

17 **DIVISION 4. SALARY.**

18 **Sec. 16-123. Salary policy.**

19 \* \* \* \* \*

20 (c) The Director of Human Resources Management, at the request of the appointing  
21 authority, [and] with the concurrence of the Chief Administrative Officer and the Director of

1 Management and Budget, [may] shall approve [salary] adjustments for current employees in  
2 order to ensure salary equity, [within the relevant agency or] to provide that pay for a supervisor  
3 is higher than pay for subordinate employees of the supervisor, or to ensure that compensation is  
4 aligned with the employee’s relevant responsibilities, span of control, experience and education  
5 which may be above the minimum requirements of their appropriate class of work and applicable  
6 grade.

7 \* \* \* \* \*

8 **Sec. 16-127. Salary rate upon appointment.**

9 (a) The salary rate for an employee, upon initial appointment to a vacant position in the  
10 classified service, shall [normally] be established at an amount [equal to the entry level rate]  
11 aligned with the employee’s relevant experience and education in the class of work and  
12 applicable grade.

13 (b) Notwithstanding the provisions of Subsection (a), above, the Director of Human  
14 Resources Management may, at the request of the appointing authority, approve a rate [above the  
15 entry-level rate, but] within the applicable salary range based upon a consideration of an  
16 employee's exceptional qualifications, [an employee's salary history,] or an inability to recruit  
17 sufficient applicants due to a labor market shortage in particular classes of work.

18 (c) A person who is appointed to a vacant position as a full-time career emergency  
19 response technician who has previously served as an active volunteer firefighter with a volunteer  
20 fire or rescue squad department or company for one or more years, has been a legal resident of  
21 the State of Maryland for at least two (2) full calendar years at the time of making formal  
22 application for competitive examination in order to be considered for initial appointment to the  
23 vacant position, and is currently residing within Prince George's County, [the selected applicant]  
24 shall receive the equivalent of one step of salary credit above the entry salary rate upon the  
25 presentation of evidence by such individual in such manner and form as prescribed by duly  
26 developed, approved, and issued personnel procedures and upon successful completion of  
27 training to become an emergency response technician.

28 \* \* \* \* \*

29 **Sec. 16-131. Salary rate upon and after promotion.**

30 (a) The salary rate for an employee promoted to a vacant position in the classified service  
31 shall be established by the Director of Human Resources Management in accordance with the

1 Salary Plan and applicable personnel procedures; provided, however, an employee's salary rate,  
2 upon promotion, shall not be established at a rate less than the minimum rate or in excess of the  
3 highest rate within the applicable salary range.

4 \* \* \* \* \*

5 **Sec. 16-132. Salary rate upon demotion.**

6 (a) When an employee is demoted, except for demotions pursuant to the reallocation of a  
7 position to a class with a lower grade, or as set forth in Subsection (c), hereof, the rate within the  
8 salary range applicable to the position to which the employee is demoted shall be established by  
9 the Director of Human Resources Management in accordance with the Salary Plan and  
10 applicable personnel procedures.

11 (b) Notwithstanding the above, in no event shall an employee's salary rate, upon demotion,  
12 be established at a rate below the entry level rate or [a rate] above the highest salary rate within  
13 the salary range applicable to the position to which the employee is demoted.

14 (c) In the case of any nondisciplinary demotion, upon written request of the appointing  
15 authority, the salary reduction otherwise required by this Section [may be waived] shall be  
16 determined by the Director of Human Resources Management, subject to the limitations of  
17 Subsection (b) and applicable personnel procedures.

18 **Sec. 16-133. Salary rate upon reallocation to a class with a lower or higher grade.**

19 (a) The salary rate of an employee occupying a position which has been reallocated to a  
20 class with a lower grade shall be established by the Director of Human Resources Management  
21 at the rate within the salary range applicable to the class to which the position has been  
22 reallocated[, which shall guarantee the same salary rate that the employee received immediately  
23 prior to the effective date of the reallocation]. However, if the employee's salary rate exceeds the  
24 highest rate within the salary range applicable to the class to which the position has been  
25 reallocated, the Director of Human Resources Management shall establish the [incumbent's]  
26 salary rate at no more than the highest rate.

27 (b) The salary rate of an employee occupying a position which has been reallocated to a  
28 class of work with a higher grade shall be increased by the Director of Human Resources  
29 Management in accordance with the established [s]Salary [p]Plan and applicable personnel  
30 procedures.

31 \* \* \* \* \*

1 **Sec. 16-135. Salary rate upon reclassification.**

2 \* \* \* \* \*

3 (b) Whenever an established class of work is reclassified by decreasing the assigned grade,  
4 the salary rates of all employees occupying positions within the class affected by such  
5 reclassification [shall be established by the Director of Human Resources Management in  
6 accordance with the procedures stipulated under Section 16-133 as if all such employees'  
7 positions had been reallocated to a class with a lower grade or all such employees had been  
8 displaced to a class with a lower grade] may remain at the same salary rate that the employee  
9 received immediately prior to the effective date of the reclassification if the employee's salary  
10 does not exceed the maximum of the salary range.

11 \* \* \* \* \*

12 **Sec. 16-137. Salary rate upon reemployment.**

13 \* \* \* \* \*

14 (b) The salary rate of an employee who has been reemployed in a vacant position in the  
15 classified service with a grade lower than the grade applicable to the position formerly occupied  
16 by the employee at the time of the employee's involuntary separation, shall be established by the  
17 Director of Human Resources Management in accordance with [the procedures stipulated under  
18 Section 16-133 as if the employee's position had been reallocated to a class with a lower grade]  
19 applicable personnel procedures.

20 \* \* \* \* \*

21 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
22 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
23 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
24 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
25 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
26 Act, since the same would have been enacted without the incorporation in this Act of any such  
27 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,  
28 or section.

29 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)  
30 calendar days after it becomes law.

Adopted this 11th day of September, 2018.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Dannielle M. Glaros  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive