

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Resolution No. CR-121-2021

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Hawkins, Turner, Franklin, Ivey, Glaros,
Anderson-Walker, Harrison and Taveras

Co-Sponsors _____

Date of Introduction October 19, 2021

RESOLUTION

1 A RESOLUTION concerning

2 Exempt Employees – Salary Plan

3 For the purpose of providing for certain leave and benefits for exempt service employees.

4 WHEREAS, Section 402(5) of the Prince George's County Charter provides for the
 5 County Executive to prepare an Executive Pay Plan establishing compensation of the Chief
 6 Administrative Officer and the head of each agency of the Executive Branch, subject to
 7 approval of the County Council; and

8 WHEREAS, Section 902(13) of the Prince George's County Charter provides that the
 9 County Executive may recommend positions to be classified as exempt service positions, such
 10 recommendations must be approved by the County Council; and

11 WHEREAS, Section 903 of the Prince George's County Charter provides for the
 12 approval of Salary Plans by the County Council after having first been submitted by the
 13 County; and

14 WHEREAS, by CR-179-1985, CR-4-1986, CR-77-1986 [and], CR-14-1988, and CR-78-
 15 2001 the County has previously established certain benefits for exempt service employees of the
 16 County; and

17 WHEREAS, Maryland Courts and Judicial Proceedings, Section 13-102, requires the
 18 County to pay the compensation and other expenses of the Circuit Court Administrator, as well
 19 as other employees appointed by the Circuit Court Administrator. The Circuit Court
 20 Administrator serves at the pleasure of the county administrative judge, i.e., at-will; and

21 WHEREAS, the Circuit Court Administrator was reclassified to a Grade 38 effective

1 January 6, 2019. Grade 38 is the same pay grade occupied by County department directors; and

2 WHEREAS, Section 508 of the Prince George's County Charter permits, to the
3 extent it is available within the County government, an agency receiving or disbursing County
4 funds to receive legal services, personnel administration and other administrative services as
5 County Council may establish by law; and

6 WHEREAS, the Circuit Court for Prince George's County receives County funding; and

7 WHEREAS, the County Executive has recommended that certain additional benefits be
8 approved for certain exempt ~~service~~ and at-will positions.

9 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
10 County, Maryland, that the following provisions relating to leave and benefits for certain
11 exempt service and at-will positions, submitted and recommended by the County Executive
12 on [November 6, 2001] October 14, 2021, be and the same are hereby approved as an
13 amendment to the salary plan adopted by CR-179-1985 and previously amended by CR-4-1986,
14 CR-77-1986[and], CR-14-1988, and CR-78-2001.

15 B. Annual Leave

16 1. The Chief Administrative Officer, [the head of each agency], the director
17 and deputy directors of offices and departments in the executive branch, the immediate staff of
18 the County Executive, the Council Administrator, the County Auditor, the Circuit Court
19 Administrator, and [the] aides [to] for each member of the Council [Member] shall be entitled
20 to a beginning annual leave balance of eighty (80) hours unless said exempt employee has an
21 existing annual leave balance as an employee of Prince George's County of more than eighty
22 (80) hours. This benefit may be granted to other exempt employees, except elected officials, by
23 the appropriate appointing authority.

24 2. The annual leave earning rate for all exempt service employees except
25 elected officials shall be as established by the appropriate appointing authority up to the
26 maximum rate provided for classified service employees.

27 C. Sick Leave

28 1. The Chief Administrative Officer, [the head of each agency], the director
29 and deputy directors of offices and departments in the executive branch, the immediate staff of
30 the County Executive, the Council Administrator, the County Auditor, the Circuit Court
31 Administrator, and [the] aides [to] for each member of the Council [Member] shall be entitled

1 to a beginning sick leave balance of eighty (80) hours unless said exempt employee has an
 2 existing sick leave balance as an employee of Prince George's County of more than eighty (80)
 3 hours. This benefit may be granted to other exempt employees by the appropriate appointing
 4 authority.

5 2. The sick leave earning rate for all exempt service employees except
 6 elected officials shall be as established for classified service employees.

7 D. Insurance

8 1. All exempt service employees are entitled to the same insurance benefits
 9 as are provided pursuant to the Personnel Law to classified service employees of the County,
 10 including, but not limited to, health insurance, life insurance, optical care plan, dental plan, and
 11 prescription plan.

12 2. The County Executive may grant to the Chief Administrative Officer,
 13 the immediate staff of the County Executive [and the head of each agency], the
 14 director and deputy directors of offices and departments in the executive branch, and the Court
 15 Administrator, and the County Council may grant to the Council Administrator, the County
 16 Auditor and [the] aides [to] for each member of the Council [Member] additional life insurance
 17 benefit, provided that the cost of premiums for such insurance shall not exceed seven percent
 18 (7%) of annual salary. The County Executive and members of the County Council, with a term
 19 beginning after November 2002, are entitled to this same benefit.

20 E. Retirement, Defined Contribution and Deferred Compensation Plans.

21 1. All exempt employees are entitled to and subject to the same retirement
 22 and pension benefits as are provided by the Personnel Law or other law to classified service
 23 employees of the County.

24 2. The Chief Administrative Officer, [the head of each agency], the director
 25 and deputy directors of offices and departments in the executive branch, the immediate staff of
 26 the County Executive, the Council Administrator, [the] aides [to] for each member of the
 27 Council [member and], the County Auditor and the Court Administrator
 28 shall be entitled, from the time of entry into the position, to payment to an alternate defined
 29 contribution or deferred compensation plan of Prince George's County in an amount equal to
 30 five percent (5%) of salary, as long as the employee does not participate in the State system.
 31 The County Executive and members of the County Council, with a term beginning after

1 November 2002, are entitled to this same benefit.

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3 SECTION 2. BE IT FURTHER RESOLVED that all other provisions of the exempt
 4 salary plan adopted by CR-179-1985 and amended previously by CR-4-1986, CR-77-
 5 1986[and], CR-14-1988, and CR-78-2001 not amended by this Resolution shall remain in full
 6 force and effect.

7 SECTION 3. BE IT FURTHER RESOLVED that the increase in the County
 8 contribution to five percent (5%) of salary to payment to an alternate defined contribution or
 9 deferred compensation plan of Prince George's County set forth in paragraph E.2. of the
 10 Executive Pay Plan shall be effective retroactive to July 1, [2001]2021 and apply to all persons
 11 holding the named positions as of July 1, 2021 and thereafter, unless amended in a subsequent
 12 resolution.

13 SECTION 4. BE IT FURTHER RESOLVED that all existing Executive Orders and
 14 Resolutions approving and establishing additional individual benefits for current exempt
 15 Service employees are hereby confirmed and ratified and remain in full force and effect.

16 SECTION 5. BE IT FURTHER RESOLVED that the provisions of the exempt pay plan
 17 is established by CR-179-1985, CR-4-1986, CR-77-1986[and] CR-14-1988, CR-78-2001 and
 18 this Resolution shall apply, as applicable, to the following exempt or at-will employees: [the
 19 County Executive; members of the County Council]; elected officials; the Chief Administrative
 20 Officer; the director and deputy directors of offices and departments in the executive branch; the
 21 immediate staff of the County Executive [(not to exceed five persons)]; [the heads of offices
 22 and departments in the executive branch, including] the executive directors of boards and
 23 commissions; the Council Administrator; the Court Administrator; the County Auditor; [the]
 24 aides [to] for each member of the Council [member]; persons hired as attorneys at-law,
 25 including attorneys in the Office of Law, the Legislative Officer, and the Principal Counsel to
 26 the District Council; and Deputy Chiefs of Police [(limited to three)]. The provisions of the
 27 exempt pay plan do not apply to members of boards and commissions, [7]1000-hour
 28 employees, experts or specialists performing temporary services, employees required to be
 29 covered by the State merit system, and hearing examiners. Unless otherwise stated, the
 30 provisions of this Executive Pay plan shall be retroactive to July 1, 2021 and apply to all
 31 persons holding the named positions as of July 1, 2021 and thereafter, unless amended in a

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subsequent resolution.

Adopted this 16th day of November, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Court