

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session _____ 1991 _____

Bill No. _____ CB-90-1991 _____

Chapter No. _____ 60 _____

Proposed and Presented by The Chairman (by request -
County Executive)

Introduced by Council Members Casula and Castaldi

Co-Sponsors _____

Date of Introduction October 15, 1991

EMERGENCY BILL

AN EMERGENCY ACT concerning

PERSONNEL LAW

FOR the purpose of providing for employee furloughs in certain budgetary circumstances.

BY renumbering:

SUBTITLE 16. PERSONNEL.

Section 16-229 to be

Section 16-230,

The Prince George's County Code

(1987 Edition, 1990 Supplement).

BY adding:

SUBTITLE 16. PERSONNEL.

Sections 16-102 (a) (27.1) and

16-229,

The Prince George's County Code
(1987 Edition, 1990 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 16-229 of the Prince George's County Code be and the same is hereby renumbered to be Section 16-230.

[Sec. 16-229] Sec. 16-230.

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SECTION 2. BE IT FURTHER ENACTED that Section 16-102 (a) (27.1) and a new Section 16-229 be and the same are hereby added to the Prince George's County Code to read as follows:

SUBTITLE 16. PERSONNEL.

DIVISION 1. GENERAL PROVISIONS.

Sec. 16-102. Definitions.

(a) For purposes of this Subtitle, the following words and phrases shall have the meanings respectively ascribed to them by this Section, except where the context clearly requires otherwise:

(27.1) Furlough means a period of leave without pay under the provisions of Sec. 16-229 of the Code. A furlough is a non-disciplinary personnel action authorized and approved by the Personnel Officer and is not an adverse action.

DIVISION 17. LEAVE.

Sec. 16-229. Furloughs.

(a) Employees occupying full or part-time positions in either the classified or exempt service, who are entitled to earn annual leave as provided in Section 16-220, may be required to take leave

without pay as a furlough under any one (1) of the following circumstances:

(1) Where the County Executive determines that an ascertained shortfall in revenue, based upon available projections, during any fiscal year requires the compensation level of a department, agency or office to be reduced; or,

(2) Where a reduction in the compensation level of a department, agency or office is effectuated in the County's approved annual expense budget; or,

(3) Where an appointing authority requests, and the County Executive approves, furloughs for employees under the appointing authority's jurisdiction in order to meet the compensation level funded for the department, agency or office in the County's approved annual expense budget.

(b) Whenever furloughs are required under any one (1) of the circumstances described in Paragraph (a) above, the County Executive shall transmit to the County Council a Furlough Plan, in resolution form, which sets forth:

(1) the circumstance warranting the furlough action;

(2) the number of employees to be affected by the furlough action identified by agency, salary, grade and salary schedule;

(3) the number of furlough days or hours affected employees will be required to take;

(4) the period of time over which furlough days or hours will be required; and,

(5) the dollar amount of compensation savings expected to result from the Furlough Plan.

(c) The Furlough Plan shall not require any employee to take more than one (1) furlough day or eight (8) furlough hours of regularly scheduled work time, whichever is greater, in any given pay period, as defined in Section 16-126; provided, however, that in order to effect savings related to the closing of certain buildings for specified periods, the Furlough Plan may require more than one furlough day in a pay period provided that the furlough time shall be charged to employees in such a manner that no more than one (1) furlough day may be charged to an employee during any one pay period unless requested by the employee.

(d) The Furlough Plan may include the crediting of annual leave to the annual leave account of any employee required to take a furlough, in an amount equal to the number of furlough hours an employee is required to take, notwithstanding the annual leave accrual schedule or maximum accumulation established in Section 16-220 or any Salary Plan.

(e) Notwithstanding the provisions of Section 16-219, an employee on furlough the last regular work day before or the first regular work day after a holiday will be entitled to receive holiday leave pay.

(f) Notwithstanding the provisions of Section 16-220, an employee on furlough will continue to earn annual leave at the employee's regular annual leave earning rate.

(g) The County Council shall approve or reject the Furlough

Plan as submitted by the County Executive.

SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of Section 317 of the Charter, the County Council hereby declares that a public emergency exists affecting the public health, safety, and welfare; said emergency being the immediate need to authorize the furlough of County employees in order to reduce the compensation expenditures of the County in anticipation of a newly projected shortfall in revenue for the current fiscal year.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it becomes law.

Adopted this 5th day of November, 1991, by an affirmative vote of two-thirds of the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Richard J. Castaldi
Chairman

ATTEST:

Maurene W. Epps
Acting Clerk of the Council

APPROVED:

DATE: November 6, 1991

BY: _____
Parris N. Glendening
County Executive

KEY:

Underscoring indicates language added to existing law.

