



THE PRINCE GEORGE'S COUNTY GOVERNMENT


Office of Audits and Investigations


June 10, 2020

FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Senior Legislative Budget and Policy Analyst

FROM: Isabel Williams 
Senior Legislative Budget and Policy Analyst

RE: Fiscal and Policy Note
CB-32-2020, Personnel Law

CB-32-2020 (Proposed and presented by: The Chair of the Council at the request of the County Executive)

Assigned to the Committee of the Whole

AN ACT CONCERNING PERSONNEL LAW for the purpose of amending provisions of the Personnel Law relating to the contents of promotional or recruitment announcements by providing the Office of Human Resources Management, in collaboration with the County departments and agencies the autonomy to determine the timeframe to post a position announcement, and relating to certain provisions for sick and safe leave.

Fiscal Summary

Direct Impact:

Expenditures: Potential additional expenditures and lost productivity due to increased use of sick leave.

Revenues: None.

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Indirect Impact:

Potentially positive.

Current Law/Background:

County Code Section 16-154 governs the contents and distribution of promotional and recruitment examination announcements, and provides that each such announcement include, among other things “an identification of where, when, and in what format an applicant must respond to said announcement. The closing date for applicant submissions *shall not be earlier than fourteen (14) calendar days after the effective date of the issuance of the examination announcement.*”¹

Section 16-221 of the Code provides for sick leave for County employees, and permits the use of sick leave for the following reasons:

- (A) Sickness, disability, or serious health condition which incapacitates an employee. As used in this Subtitle, the term serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider;
- (B) Necessary medical or dental appointments;
- (C) Confinement at home because of quarantine;
- (D) Illness or serious health condition of *the employee's spouse, parent, mother- or father-in-law, grandchild, grandparent; or child (including biological, adopted, foster, stepchild, or legal ward)* that requires care by the employee during normal work hours;
- (E) Birth of a child, pursuant to the provisions of Section 16-225.02;
- (F) Adoption of a dependent child, pursuant to the provisions of Section 16-225.02; and
- (G) Death of anyone in an employee's family, not to exceed five (5) working days; provided further, that for purposes of this subparagraph, the term “family” shall include the employee's spouse, child (including biological, adopted, foster, stepchild, or legal ward), parent, grandparent, grandchild, brother, sister, brother- or sister-in-law, mother- or father-in-law, or son- or daughter-in-law.²

Under current law, limited-term grant-funded employees and other temporary employees are not entitled to sick leave.

Resource Personnel:

Shawn Y. Stokes, Director, Office of Human Resources Management

Valerie Farrar, Manager, Office of Human Resources Management

Leonaye Oliver, Manager, Office of Human Resources Management

Discussion/Policy Analysis:

¹ §16-154(a)(4)

² §16-221(e)(1)

CB-32-2020 proposes to amend the above provisions of Subtitle 16 of the County Code. The first proposed amendment (see page 2, lines 10-12) would amend §16-154(a)(4) to permit the Office of Human Resources Management (OHRM) to determine the timeframe to post a position announcement, in collaboration with the County departments and agencies. This would replace the current 14 calendar day minimum described above, with the intent of reducing the length of time after the closing of the announcement to fill the position.

The next amendment (see page 2, line 22 through page 3, line 11) would amend §16-221(e)(1)(D) to expand the definition of a “family member” for whom an employee can use sick leave to provide care for an illness or serious health condition. It would also add a new subparagraph (H) to §16-221(e)(1) to permit the use of sick leave for “safe haven” purposes.

The final amendment (see page 3, lines 18-22) would add a new Section, §16-221.03 to provide that Limited-Term Grant-Funded (LTGF) employees, Personal Services Agreement (PSA) employees, Temporary/Seasonal and Temporary/Provisional employees are entitled to earn forty (40) hours of Sick and Safe Leave in a year Sick and Safe Leave pursuant to the Maryland Healthy Working Families Act of 2018.

Fiscal Impact:

Direct Impact

Enactment of CB-32-2020 may result in a negative fiscal impact in the form of increased sick leave usage and the associated additional personnel costs. According to the Agenda Item Summary for CB-32-2020, an estimate of this impact will be provided by the Office of Management and Budget.

Indirect Impact

Enactment of CB-32-2020 may result in a positive indirect fiscal impact as a result of greater efficiencies attained in the filling of vacant positions, and improved employee retention as a result of the expanded sick leave benefit.

Effective Date of Proposed Legislation

Forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please call me.