



THE PRINCE GEORGE'S COUNTY GOVERNMENT

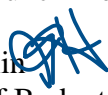
Office of Audits and Investigations

March 17, 2023

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Malcolm Moody - *mm*
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-028-2023 – Collective Bargaining Agreement – Fraternal Order of Police Prince George's County Lodge 89, Inc
CR-011-2023 – Compensation and Benefits - Fraternal Order of Police Prince George's County Lodge 89, Inc., Salary Schedule L

CB-028-2023 (Proposed and presented by: The Chair of the Council at the request of the County Executive)

CR-011-2023 (Proposed and introduced by: The Chair of the Council at the request of the County Executive)

Assigned to the Health, Human Services and Public Safety (HHSPS) Committee

Fiscal Summary

Direct Impact:

Expenditures: Additional expenditures will be required related to wage scale adjustments, a cost-of-living adjustment, merit increases, increases to TEC pay, clothing allowance, shift differential, sick and annual leave, and provisions regarding promotions.

Revenues: No impact.

Indirect Impact:

None.

Legislative Summary:

CB-028-2023, proposed by the Chair at the request of the County Executive, was introduced on February 28, 2023, and referred to the Health, Human Services and Public Safety (HHSPS) Committee. CR-011-2023, proposed by the Chair at the request of the County Executive, was introduced on February 28, 2023, and referred to the HHSPS Committee. Prince George's County, Maryland, and the Fraternal Order of Police Prince George's County Lodge 89, Inc. have completed labor negotiations on a two-year labor agreement covering Fiscal Years 2023 and 2024. CB-028-2023 is to adopt and approve the referenced collective bargaining agreement in accordance with Section 16-233(f) of the Personnel Law, and CR-011-2023 is to amend the corresponding Salary Schedule L for employees covered under the agreement.

Current Law/Background:

The Prince George's County Charter Section 908¹ authorizes County employees to participate in the formulation and implementation of personnel policies affecting their employment, and to have the right to organize and bargain collectively through representatives of their own choosing, subject to any procedural regulations provided by the County Council by law.

Resource Personnel:

- Shawn Y. Stokes, Director, Office of Human Resources Management
- Gitana Y. Stewart-Ponder, Deputy Director, Office of Human Resources Management
- Christina Noone, Administrative Assistant, Office of Human Resources Management

Discussion/Policy Analysis:

The Agreement between the County and Fraternal Order of Police Prince George's County Lodge 89, Inc. governs wages and certain other terms and conditions of employment civilian employees within the Department.

¹ [Section 908. - Right to Organize and Bargain Collectively.](#)

Details of modifications to the Agreement and salary plan are presented in the County Executive's Cover Letter and the Settlement Summary for the proposed legislation. Notable modifications to the agreement are as follows:

- Section 2.06 is modified to decrease the number of days to provide the Fraternal Order of Police Prince George's County Lodge 89, Inc., ("Union") with notice of policy changes from fifteen (15) days to ten (10) days. Language was also added to have management give a written response to the union during that time period.
- Section 3 was added to specify the number of times adjustments can be made to officer's scheduled days off, notification by the department, and a provision for compensation. The Department will be able to adjust an officer's scheduled days off two times within a calendar month and notify the officer of the adjustment at least seventy-two (72) hours in advance of the beginning of the changed schedule. Any changes without proper notice will result in the officer being compensated at the overtime rate for all hours then worked outside their regular schedule.
- Section 4.01 states the terms for a cost-of-living adjustment (COLA), wage scale adjustments, merit increases, and a provision that includes COVID-19 Hazard Pay under certain circumstances.
- Section 4.01 also states that effective the first full pay period beginning March 1, 2024, employees will receive a five percent (5.0%) cost of living adjustment.
- Section 4.01 also describes the modifications to the Uniform Wage Scale effective the first full pay period beginning February 1, 2023. Employees receive a uniform wage scale is modified as stated in the attached wage scale—Attachment A. In summary, for rank of Police Officer, eliminate Step C and Step Y. Move Officers at Step C to Step D and officers at Step Y to Step X of their respective ranks. Step D will be applied to years of service 0-1.5, Step E will be applied to years of service 1.5 – 3, Step F will be applied to years of service 3, and so on, such that Step X shall be the top of the wage scale for 21+ years of service. For PFC (PO2), Corporal (PO3), Sergeant (PO4), and Lieutenant (PO5) there will be a three and a half percent (3.5%) adjustment when specific step adjustments are made. The step adjustments include when moving from Step K to Step L, Step L to M, Step M to Step N, Step V to Step W, Step W to Step X. All other step adjustments remain unchanged.
- Section 4.01 specifies that eligible employees who can receive a merit increase from July 1, 2022, through June 30, 2023 (i.e., Fiscal Year 2023), will receive a regular merit increase on their initial hire/rehire anniversary date in FY 2023. Eligible employees who can receive a merit increase from July 1, 2023, through June 30, 2023 (i.e., Fiscal Year 2024), will receive a regular merit increase on their initial hire/rehire anniversary date in FY 2024.
- Section 4.01 also states that if the County receives additional State or federal funding allocated for bargaining unit pay (including wages, salaries, or specialty pay) in connection with the COVID-19 pandemic, the parties will agree to reopen negotiation concerning

potential COVID-19 hazard pay. Any agreement related to pay will be set forth in a side letter to the main CBA.

- Section 4.03 has been modified to delete outdated language and update the terms relating to County and employee contribution limits to the County's preferred provider option health insurance plan or a prepaid group health plan/Health Maintenance Organization (HMO).
- Section 4.04 is amended to clarify the provisions for administering promotions when a candidate is involved in an investigation and potential disciplinary action(s).
- Section 4.07 is changed to update the names of bureaus within the Police Department.
- Section 4.09 is modified to reflect the increases in shift differentials for the first and third shifts for FY 2023 and 2024.
- Article 5, Section 5.03 specifies the maximum base hourly rate of pay for a police lieutenant increased from the 2018 amount of \$55.1679 per hour to \$67.8582 per hour.
- Article 8 specifies an increase in the clothing allowance by one hundred dollars (\$100.00) in FY 2023. The previous clothing allowance was set at one thousand six hundred dollars (\$1,600.00) that began in FY 2019 and will now be set at one thousand seven hundred dollars (\$1,700.00) that is effective beginning in FY 2023.
- Article 9 specifies a TEC pay increase by fifty dollars (\$50.00) in FY 2023 and adds Tactical Squad officers and aviation observers as recipients of TEC pay. Effective FY 2023 the TEC pay will be increase to the total amount of nine hundred fifty dollars (\$950.00) per year per qualifying officer and officers assigned to the Tactical Squad and as aviation observers.
- Article 15 is modified to delete Sections 15.02, 15.03, and 15.04 pursuant to legislative changes to Law Enforcement Officers' Bill of Rights (LEOBR)².
- Article 23, Paragraph C was modified to update the language.
- Article 27 was amended to reflect the effective dates of the Agreement.

² [Maryland Police Accountability Act of 2021 - Law Enforcement Officers' Bill of Rights - Repeal and Procedures for Discipline](#)

Fiscal Impact:

Direct Impact

Enactment of CB-028-2023 and adoption of CR-011-2023 are estimated to have a total adverse fiscal impact to the County for FY 2023 and FY 2024 of approximately \$30,940,474. According to the Office of Management and Budget, the cost breakdown of the Agreement and Salary Schedule changes are as follows:

Provision	Cost (est.) FY2023 & FY 2024
• Pay Scale modifications	\$15,695,281
• Merit Payments	\$11,908,893
• Cost-of-Living adjustment	\$2,880,527
• Increases to clothing allowance	\$289,400
• Raising shift differential for the night and evening shifts	\$159,823
• Increase in TEC pay for eligible employees	\$6,550

Indirect Impact

Enactment of CB-028-2023 and adoption of CR-011-2023 are not likely to have an indirect fiscal impact.

Appropriated in the Current Fiscal Year Budget:

Fiscal Year 2023 anticipated costs were provided for in the current fiscal year budget.

Effective Date:

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law. The Agreement, unless specifically stated otherwise in a specific provision, shall be retroactively effective to July 1, 2022.

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