



## ANNE ARUNDEL COUNTY OFFICE OF LAW

### Legislative Summary

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Deputy County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** January 16, 2024

**Subject:** Bill No. 4-24 – Personnel

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This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 4-24.

### Purpose

The purpose of Bill No. 4-24 is to revise, update, and clarify certain provisions of Article 6 relating to Personnel.

### Bill No. 4-24

3. **SECTION 1.** repeals certain provisions of Article 6 to allow for the revisions in Section

3. **SECTION 2.** rennumbers certain provisions of Article 6 to allow for the revisions in Section

### **SECTION 3.**

**Section 6-1-102** is revised to expand and update the categories for non-discrimination in County employment.

**Subsection 6-1-104(6)** is modified to provide that agility standards for the Police Department, Fire Department, and Department of Detention Facilities will be established in consultation with those agencies.

**Note:** This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

**Section 6-1-105** is modified to provide that employee pay and benefits will be reviewed routinely, rather than once every five years. The review will include practices of public and private employers and result in recommended changes to employee compensation.

The exception to the requirement of County Council approval for a change in position control in **§ 6-1-110(b)(6)** is amended to allow the Personnel Officer to move and fill a vacant position to any level of job classification to meet a department's organizational needs based on the Personnel Officer's determination of the duties, tasks, and responsibilities to be assigned.

**Current § 6-1-201** is repealed and is replaced by a **new version of § 6-1-201**. The repeal removes all job classifications from the Code, and the addition requires the Personnel Officer to formulate and maintain a classification plan for positions in the classified service in accordance with Section 801 of the County Charter. Like the current Code provision, the plan must include the minimum qualifications and designate the work week for each classification. The plan will be presented annually for approval by ordinance of the County Council, as required by the Charter. The Personnel Officer may modify the classification plan during a year based on review and analysis of the classifications. Those modifications will be effective upon approval by the Chief Administrative Officer ("CAO") and will be included in the plan when it is presented to the Council for its next annual approval. After approval of modifications by the CAO, the Personnel Officer may assign current employees to and hire new employees into the modified job classifications.

At its annual review, the County Council may reject modifications to the plan, but it cannot otherwise amend the plan. If the County Council rejects a change, the Personnel Officer must transfer employees affected by the rejection to a job classification for which the employee is qualified and that is similar in scope and pay.

The Personnel Officer will be required to submit an annual report to the County Council identifying each modification to the plan since the last Council approval, and the number of vacant and filled positions affected by each modification. The plan must be posted on the County website and made available to County employees and the public.

The provisions setting forth the pay scales in **current § 6-1-202** are repealed and are replaced by **additions to § 6-1-202**. Provisions relating to certain adjustments to certain pay scales will remain in § 6-1-202. The additions to § 6-1-202 require the Personnel Officer to formulate and maintain a pay plan for all positions in the classified service, in accordance with Section 801 of the County Charter. The plan will be presented annually for approval by ordinance of the County Council, as required by the Charter. The plan must be posted on the County website and made available to County employees and the public.

**Subsection 6-1-203(b)** is modified to increase percentages above minimum pay that may be applied at hiring of a non-represented employee with documented justification and approval of the appointing authority, the Personnel Officer, or the Personnel Officer and the CAO.

**Subsection 6-1-206(a) and § 6-1-206(c)(1)** are amended to clarify that they apply to employee movement between non-represented positions.

**Paragraph 6-1-206(b)(1)** is modified to allow and adjust percentages above minimum pay that may be applied at promotion of a non-represented employee to another non-represented position with documented justification and approval of the appointing authority, the Personnel Officer, or the Personnel Officer and the CAO.

**Section 6-1-208** is modified to clarify that it applies to movement between represented positions, and to correct an internal reference.

**Section 6-1-209** is modified to clarify that it applies to movement between non-represented and represented positions, and corrects an internal reference.

**Section 6-1-210** is modified to clarify that it applies to movement between represented and non-represented public safety positions and to require documentation justifying a pay rate on promotion.

**Subsection 6-1-215(e)** is modified to allow temporary assignment to a position for out-of-class pay when the employee has an equivalent combination of education and experience to substitute for required minimum qualifications, as determined by the Personnel Officer.

**Subsection 6-1-302(d)** is modified to allow 40 days of accumulated annual leave in a calendar year rather than 35 days.

**Current § 6-2-101(a) through (d)** are repealed and replaced by a **new § 6-1-201(a) through (d)**. The repeal removes pay grades and pay scales for positions in the exempt service, as well as provisions related to pay at hiring and pay increases. The new subsections require the Personnel Officer to formulate and maintain a pay plan for positions in the exempt service that includes job titles, pay grades, and pay scales. The plan will be presented annually for approval by ordinance of the County Council, and must be posted on the County website and made available to County employees and the public. Pay on appointment to an exempt position will be within the pay grade on the pay scale in the plan.

**Subsection 6-2-103(a)** is amended to correct an internal reference and to update the list of additional positions in the exempt service. The positions that are deleted are already in the exempt service by virtue of Charter Section 802(b)(3). The title of the “Director, Equity, Diversity, and Inclusion” is modified to reflect the current title, “Director, Equity and Human Relations”. The two additional positions are not included in Charter Section 802, and are added as permitted by that section.

**Current § 6-2-104(b)(1)** is repealed and is replaced by a **new version of § 6-2-104(b)(1)**. The repeal removes the pay grades for Circuit Court and State’s Attorney employees. The new paragraph requires the Personnel Officer to formulate and maintain a pay plan for positions in the exempt service to which employees are appointed by the Judges of the Circuit Court for the County or the State’s Attorney for the County, that includes job titles, pay grades, and pay scales. **New § 6-2-104(c) and (d)** provide that the plan will be presented annually for approval by ordinance of the County Council, and must be posted on the County website and made available to County employees and the public.

**Current § 6-2-105(b) through (d)** are repealed and replaced by a **new version of § 6-2-105(b) through (d)**. The repeal removes the pay grades and pay scales for Soil Conservation District employees. The new paragraph requires the Personnel Officer to formulate and maintain a pay plan for positions in the exempt service for employees of the Soil Conservation District that includes job titles, pay grades, and pay scales. **New § 6-2-105(c) and (d)** provide that the plan will be presented annually for approval by ordinance of the County Council, and must be posted on the County website and made available to County employees and the public.

**SECTION 4.** approves the Personnel Officer's Classification Plan for the Classified Service dated January 2, 2024, as required by § 6-1-201. The Plan consists of the current job classifications in current § 6-1-201.

**SECTION 5.** approves the Personnel Officer's Pay Plan for the Classified Service dated January 2, 2024, as required by § 6-1-202. The Plan consists of the current pay scales in current § 6-1-202.

**SECTION 6.** approves the Personnel Officer's Pay Plan for the Exempt Service dated January 2, 2024, as required by § 6-2-101. The Plan consists of the current pay grades and scales in current § 6-2-101.

**SECTION 7.** approves the Personnel Officer's Pay Plan for the Court and State's Attorney dated January 2, 2024, as required by § 6-2-104. The Plan consists of the current pay grades in current § 6-2-104.

**SECTION 8.** approves the Personnel Officer's Pay Plan for the Soil Conservation District dated January 2, 2024, as required by § 6-2-105. The Plan consists of the current pay grades and pay scales in current § 6-2-105.

The Office of Law is available to answer any additional questions. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Christine Anderson, Chief Administrative Officer  
Hannah Dier, Deputy Chief Administrative Officer  
Jeff Amoros, Chief of Staff  
Ethan Hunt, Government Relations Officer  
Anne Budowski, Personnel Officer