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1035.2 ENTRANCE RATES

New Employees - Upon initial appointment to a vacant position, the entrance rate of pay shall normally be the base rate or Step 1 of the pay range for the class. The Sheriff may recommend salary placement above Step 1 based on previous experience and/or qualifications. The Sheriff and the County Administrator must grant approval of salary offers.

Reinstatements - An employee who is reinstated to the same position, including seasonal employees, after a break in service of less than one (1) year shall have their salary determined based upon their grade and salary at the time of their separation. Those former employees who seek reinstatement to a different St. Mary's County Government position shall receive a salary offer in accordance with "new employees".

Special Hires - Special hires for short durations, such as the summer hire of students, interns, etc., may be hired without a grade and have their salary established, at the time of hire, at an hourly rate of pay below the minimum pay for a Grade 1, Step 1, the salary shall be established to coincide with a salary on the St. Mary's County Government Employee Salary Schedule. In no case shall the salary be less than that allowed by the State and Federal Law.

Hourly Rates - Hourly employees are paid by the hour according to the work they perform, but at a rate of pay not lower than the prevailing minimum hourly rate for the grade to which assigned. Hourly employees will receive holiday premium pay, call back pay, shift differential, and emergency closing pay.

1035.2.1 ACTING CAPACITY PAY

Appointment to acting capacity may be the most efficient and effective means of meeting a situation requiring the temporary service of an employee in a higher-grade position. It may be used, for example, when an employee has to perform the duties of a position during the extended absence of the incumbent or to fill a key position which may be vacant for an extended period.

Criteria

- (a) Period Minimum - The Sheriff may assign an employee to a position where they are expected to perform the duties for a period of at least ninety (90) days.
- (b) Period Maximum - Payment of acting capacity pay shall normally not exceed six months.
- (c) Termination – An employee shall return to their regular position, grade, and step, as if the acting capacity pay had not been awarded, when:
 - 1. The period of duty has been completed; or
 - 2. Services within the higher grade are no longer required

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Fully justified requests must be submitted through a completed Request for Personnel Action, for P-02, approved by the Sheriff, and forwarded to the Department of Human Resources for a further recommendation to the County Administrator.

- (a) **Upon Appointment** - Once approved by the Sheriff and an order issued, acting capacity pay will be effective on the first day of the next pay period. Employees filling a higher-grade position through an acting appointment shall receive an additional stipend equal to the difference between Step 1 of the employee's current grade and Step 1 of the employee's acting grade.
- (b) **Merit Increase during Acting Appointment** - Should an employee's anniversary date occur during the period of acting appointment, the employee shall receive a merit increase, if applicable, based on the employee's current grade. There will be no change to the stipend because of the merit increase.
- (c) **Upon Termination** - Upon termination of the acting appointment, the employee shall be returned to their original grade at the step and salary they would have been had they not received the acting appointment.
- (d) **If Selected for Higher Grade Position** - If an employee in an acting appointment is subsequently selected for the higher-grade position, their salary and anniversary date shall be adjusted per paragraph 1810 of the St. Mary's County Personnel Manual. Note: Employees do not receive anniversary date credit for the period served in Acting Capacity.

1035.2.2 HOLIDAY PREMIUM PAY

The following holiday premium pay applies to hours worked on Christmas, New Year's Day and Thanksgiving. Holiday premium pay will only apply to the calendar holiday that falls on December 25, January 1, and Thanksgiving Day.

- (a) **Nonexempt employees** - Employees scheduled to work by their supervisor on the holiday or a portion of the holiday will be compensated at the rate of time and one half their regular rate of pay for each hour worked. Employees will also be credited holiday leave hours for up to 8 hours. Employees called back to work by their supervisor on the holiday will be compensated at the Call Back rate of pay for each hour worked (see Call Back Pay). Employees will also be credited holiday leave hours for up to 8 hours.
- (b) **Exempt employees** - Employees scheduled or called in to work by their supervisor on the holiday or a portion of the holiday will be compensated at their regular rate of pay for each hour worked. Employees will also be credited holiday leave hours for up to 8 hours.

1035.2.3 SEPARATION/RETIREMENT PAY

Upon separation or retirement from Sheriff's Office Service, an employee:

- (a) Shall be paid for the following:
 - 1. **Salary** - All salary earned up to the effective date of separation or retirement computed at the hourly rate of pay being earned at the time of separation or retirement.

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2. Annual Leave - The number of hours unused, accrued annual leave computed at the regular hourly rate of pay being earned at the time of separation or retirement.
 3. Compensatory Time - The number of hours of unused accrued compensatory time computed at the regularly hourly rate of pay being earned at the time of separation or retirement.
 4. Cash Back - If receiving cash back under the St. Mary's County's benefit credit plan, the employee will be paid a prorated amount through the last day of actual work.
- (b) Shall not be paid for the following:
1. Personal Leave - All unused accrued Personal Leave.
 2. Holidays - Holidays not earned.
 3. Sick and Safe Leave - Although not paid for unused accrued sick leave, employees may receive additional retirement service credit depending on retirement plan and type of retirement (see specific Plan document for details).

1035.2.4 REINSTATEMENT/REHIRE

- (a) Annual Leave Accrual - Former County Employees may be credited with prior years of full time or regular part time service if they are reinstated with the County within one (1) year. A Sheriff's Office employee who has retired and returns to the agency within one (1) year are eligible for their previous rate of accrual.
- (b) Reinstated employees are required to serve a ninety (90) day trial period and the employee's performance will be evaluated on or before the end of the trial period.

1035.2.5 ADDITIONAL DUTY PAY

Except as authorized by the Sheriff, an employee's rate of pay shall not be affected by any service performed in addition to, or differing from, the usual duties of any classification which may have been temporarily assigned to the employee in advance.

1035.2.6 MULTIPLE ST. MARY'S COUNTY JOBS

Except as provided below, full time regular Sheriff's Office employees shall be ineligible for selection to work a regular second county job, except for:

- (a) Occasional or Sporadic Work - For employees who freely work occasionally or sporadically on a part time basis in a capacity different from their regular employment, such as working as a referee for Recreation and Parks, the hours worked in the different job do not have to be combined with the regular hours for the purpose of determining overtime.
- (b) Law Enforcement Officers - Employment by separate agencies on an optional, voluntary basis will not normally create a joint compensation situation.

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1035.2.7 SHIFT DIFFERENTIAL

Certain employees are required to operate on a shift basis because of the 24/7 nature of the services which are provided.

- (a) Eligibility - Shift employees are entitled to receive shift differential if they meet the entitlement requirements.
- (b) Entitlement - Shift differential shall be paid to employees who work a qualifying shift as outlined below. Employees staffing exempt positions or hired for non-shift positions requiring evening or night work are not entitled to shift differential.
 - 1. A shift is defined as any work schedule which consists of eight consecutive hours, excluding breaks and meals or more, and requires an employee to replace, or be replaced by, another employee in the same job class, to provide the necessary continuous operational coverage for the service.
 - 2. A shift worker is defined as an employee who works a shift and replaces or is replaced by another employee in the same job or classification. An employee may work either a fixed or rotating shift.
 - 3. A qualifying shift is a full time or regular part time shift which starts between 2 p.m. and 1 a.m. and is scheduled for a minimum of eight (8) hours in duration.
- (c) Shift differential calculation - The amount of shift differential earned is determined as follows:
 - 1. Scheduled to work qualifying shift - The shift differential rate will be on a prorated basis to employees who were scheduled to work a qualifying and who worked any part of the qualifying shift.
 - 2. Work from a qualifying shift to another qualifying shift - The shift differential rate will be paid for hours worked in addition to any overtime payment or compensatory time to which the employee may be entitled.
 - 3. Work from a qualifying shift to a non-qualifying shift - Hours worked as a continuation of a qualifying shift beyond its normal hours into a non-qualifying shift do not qualify for payment of the shift differential rate and an employee is not entitled to the shift differential rate for the hours worked in the non-qualifying shift.
 - 4. Work from a non-qualifying shift to a qualifying shift - Hours worked as a continuation of a non-qualifying shift into a qualifying shift do not qualify for payment of the shift differential rate unless an employee works at least four (4) hours of the qualifying shift. If an employee works at least four (4) hours of the qualifying shift, they shall be paid the shift differential rate in addition to any overtime payment or compensatory time for the hours worked in the qualifying shift.
 - 5. Not scheduled to work - Employees who meet the eligibility requirements for shift differential pay, but are not scheduled to work a qualifying shift, and who are called back to work in response to emergency calls or a temporary return to duty, are not eligible for payment of shift differential unless they work at least four (4) hours during a qualifying shift period.

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- (d) **Rate of Pay** - The rate of shift differential shall be determined by the Sheriff and Commissioners of St. Mary's County.

1035.2.8 COST OF LIVING ADJUSTMENTS (COLAS)

In conjunction with the annual budget process, the Commissioners of St. Mary's County shall determine whether to make a Cost-of-Living Adjustment (COLA) to the County pay scales. In the event of an increase in the approved county pay scale, the increased pay rates will become effective as approved by the CSMC and will apply to all eligible employees except those who are above the top step of their assigned grade.

1035.2.9 ON-CALL COMPENSATION

Employees who are assigned to be on-call are not confined to their homes, but they must be reachable by phone and be able to respond to an urgent or emergency in 30 minutes.

- (a) **Rate of Pay** - On-call pay will be paid at straight time at the employee's regular rate of pay. On-call pay will be processed for payment quarterly.
 - 1. The On-call Compensation Request (SMCSO Form 396) will be completed each month and approved through the employee's chain of command. This form will be due to the Sheriff's Office Fiscal Section, the last day of each month. There will be no compensation for tardy submissions.
 - 2. Compensation will be paid quarterly per fiscal year in September, December, March and June.
 - 3. This provision applies to the following groups of Sheriff's Office employees: Command Staff, CID Investigators, Vice/Narcotics Investigators, Crime Lab Technicians, PIO, OPR Investigators, Crash Reconstructionists, Emergency Services Team Members and Pretrial/Classification Supervisor.
- (b) **Accrual and Maximum Credit** - An employee who is assigned a minimum 24 hours of on-call during a fiscal quarter, will receive twenty-four (24) hours of 'on-call' compensation pay for that quarter. This is subject to the budgetary limits approved by the Board of County Commissioners.
- (c) **Call Out** - If the employee is called out, he/she will additionally be compensated.
- (d) **Secondary Employment** - An employee may be employed by a secondary source while being available for call out. However, the employee must be available to immediately respond when notified.

1035.2.10 CALL BACK PAY

Whenever a nonexempt employee is called back to work or out to work with less than twenty-four (24) hours notice, by competent authority (normally their supervisor), they shall be entitled to Call Back Pay as follows:

- (a) **Rate of Pay** - Call Back Pay shall be paid at the rate of time-and-a-half of the employer's regular rate of pay.
- (b) **Minimum Credit** - Employees will receive a minimum of two (2) hours of Call Back Pay regardless of the length of time it may take to complete the task. If the employee is

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called back to work and the actual time worked exceeds two hours, the employee will be compensated based on the actual hours worked.

- (c) Travel Time - When called back to work as outlined in this section, all travel time to and from the work site shall count as hours worked.
- (d) Exceptions:
 - 1. Command staff members who are called out are eligible for straight comp time.
 - 2. Employee initiated changes - Employees shall not be paid Call Back Pay if the start of their duty or the shift change was initiated by the employee or if the employee "volunteers" to replace another employee on their shift.
 - 3. Maximum Credit - Employees called out before the beginning of their normal scheduled work time, where the call out and the beginning of the normal workday is less than four (4) hours, will be paid Call Back Pay for only the time between the initiation of the call out and the beginning of the normal scheduled workday.
 - 4. Holidays - Employees called back to work on a holiday shall be paid Call Back Pay for a minimum of two (2) hours or the actual hours worked, whichever is greater.

1035.2.11 FIELD TRAINING OFFICER (FTO) PAY

Deputy Sheriff - Sworn personnel designated as Field Training Officers (FTO) shall be entitled to receive, in addition to any other pay to which they are entitled, two dollars (\$2.00) for each hour they directly instruct and supervise a probationary officer during their initial field training period. These FTO hours will be captured on the Daily Activity and Leave Report (SMCSO Form #10) under Duty Hours per A3.02 Employee Timekeeping. To qualify, the sworn Field Training Officers (FTO) must have been formally trained and designated as a Field Training Officer and assigned a probationary officer within the guidelines of the Agency Field Training Officers (FTO) program. Field Training Officers will not receive this additional FTO pay after an assigned probationary officer is released to perform independent duties.

The FTO program requires that the probationary employee ride with a supervisor periodically. This requirement is for supervisory evaluation and not part of the FTO training process for this compensation.

Station Clerks/Crime Lab Technicians - The Sheriff's Office designates select civilian personnel in the positions of Station Clerk or Crime Lab Technician to be Field Training Officers. These civilian Field Training Officers shall be entitled to receive, in addition to any other pay to which they are entitled, two dollars (\$2.00) for each hour they directly instruct and supervise a probationary civilian employee in their sections. These FTO hours will be captured on the Daily Activity and Leave Report (SMCSO Form #10) under Duty Hours per A3.02 Employee Timekeeping. To qualify, the civilian must have been formally designated to be a Field Training Officer (FTO) and assigned a probationary employee within the guidelines of the Agency. Field Training Officers will not receive this additional FTO pay after an assigned probationary employee is released to perform independent duties.

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This compensation is for the assigned civilian Field Training Officer only, and not intended for supervisor(s) evaluating the performance of subordinates.

1035.2.12 EMERGENCY CLOSING PREMIUM PAY

Rate of Pay - Employees that are required to work during a St. Mary's County Government declared emergency shall be paid two (2) times the employee's regular rate of pay in accordance with Emergency Closings and Severe Conditions.

Travel Time - Employees will be paid travel time to and from the work site as appropriate.

1035.2.13 RECOVERY OF UNAUTHORIZED SALARY, BENEFITS AND DEDUCTIONS

In the event the Sheriff and/or St. Mary's County Government determines that a current or former employee has received an unauthorized amount of salary, benefits or deductions, St. Mary's County Government reserves the right, upon due and proper written notification to the employee, to initiate appropriate action to recover any unauthorized amounts.