

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2021 LEGISLATIVE SESSION

LEGISLATIVE DAY NO. 17

LEGISLATIVE BILL 2021-04

INTRODUCED: September 7, 2021

INTRODUCED BY: The President of the Council at the request of the Acting County Executive.

AN ACT TO AMEND THE WICOMICO COUNTY PERSONNEL MANUAL, CHAPTER 15 – ENTITLED “LEAVE AND HOLIDAY BENEFITS,” TO INCLUDE AN ANNUAL LEAVE BUY BACK PROVISION.

WHEREAS, the Acting County Executive has proposed an Annual Leave Buyback Program to permit certain County employees to receive payment for a number of unused accumulated annual leave under certain conditions; and

WHEREAS, County Council endorses the creation of an Annual Leave Buy Back Program.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that, the Wicomico County Personnel Manual, Chapter 15 entitled “Leave and Holiday Benefits,” Section 1505 is hereby amended as follows:

CHAPTER 15

LEAVE AND HOLIDAY BENEFITS

SECTION 1505

- (a) Maximum Accrual. Annual leave may be accumulated up to maximum of 360 hours (45 eight-hour days) and carried into the new calendar year. Any unused leave in excess of 360 hours each new calendar year is forfeited.
- (b) Leave Requests. Employees should normally submit requests for leave to their supervisor at least two (2) weeks in advance by use of the Request for Leave Form, page 15-22.
- (c) Approval. Employees must receive the prior approval of their department head or designee, as appropriate, before using leave. Leave is not an entitlement, but will be approved or disapproved based upon the operations and work load of the department and in consideration of the leave requests from other employees.
- (d) Advanced Annual Leave. Upon recommendation of the Department Head, the Administrative Director may authorize regular full time employees the use of

advanced annual leave not to exceed 40 hours per year (prorated for regular part time employees).

- (e) Earning Rates. Regular part time employees shall earn annual leave on the basis of years of service and prorated on the number of hours actually worked. Regular full time employees shall earn annual leave on the basis of years of full time service as follows:

Table 15-1		Leave Earnings
Years of Service		
<u>Beginning</u>	<u>Through</u>	<u>Days Per Year (1 day = 8 hours)</u>
0	2	10
3	8	12
9	16	16
17	--	20

- (f) Annual Leave Buy Back. An employee who accrues either sixteen (16) days or twenty (20) days per year of annual leave is eligible to participate in, or waive, the buy-back option. The rate at which the eligible employee will accrue annual leave time as of November 30th of each calendar year, into or within those two groups, is the level the eligible employee is able to participate in the program. The program requirements are:

- (1) By the end of February each calendar year, eligible employees will be asked for the maximum amount of annual leave the eligible employee may elect for buy back or the eligible employee shall complete a form stating the employee chooses to waive the option for that calendar year. The amount of time elected will permit the Department of Finance to estimate a payout amount for the following fiscal year budget:
 - a. Employees with 9 years to 16 years of service who accrue 16 days per year (10.6667 hours per month), may request up to 4 days (32 hours) of leave to be paid out.
 - b. Employees with 17 years of service and over, who accrue 20 days per year (13.3333 hours per month), may request up to 8 days (64 hours) of leave to be paid out.

(2) By the end of September of each calendar year, eligible employees that chose to participate will provide the final amount of buy back time elected, which may be equal to, or less than the amount elected in February. An eligible employee who opts out in February will not be able to participate until the following fiscal year.

(3) If annual leave time remains available in the employee's accrual bank (not depleted from use), the amount of the leave buy back will be subtracted from the employee's accrual bank and paid out to the employee no later than December 15th of each calendar year.

(g) Payment. An employee leaving the County service shall receive a lump sum payment at their current rate of pay for any unused accumulated annual leave, provided that each lump sum payment shall be offset by any amount by which the employee is indebted to County Government.

SECTION II: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION THAT this bill shall be known as Legislative Bill No. 2021-04 and shall take effect sixty (60) days after its enactment, unless a proper Petition for Referendum thereof shall be filed prior to said date; in which event, the Bill shall not take effect until the expiration of thirty (30) days following the approval of this Bill by a majority of the qualified voters of the County voting in any such referendum.

Certified correct as passed and adopted by the County Council of Wicomico County, Maryland this 5th day of October, 2021.

WICOMICO COUNTY, MARYLAND

Larry W. Dodd (SEAL)

By: Larry W. Dodd, President

Laura Hurley (SEAL)

By: Laura Hurley, Secretary

I HEREBY CERTIFY that copies of the above Bill are available to the public, the press and other news media at the time of its introduction.

Laura Hurley (SEAL)

By: Laura Hurley, Secretary

Explanation:

~~Strike Out~~ indicates matters deleted from existing law.

CAPITALS INDICATE MATTERS ADDED TO EXISTING LAW.

~~CAPITAL STRIKE OUT~~ indicates matter stricken from Bill by Amendment.

Underlining indicates Amendments to Bill

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

2021 Legislative Session

Legislative Day No. 17

LEGISLATIVE BILL NO. 2021-04

INTRODUCED BY: President of the Council at the request of the Acting County Executive

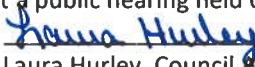
Bill No. 2021-04: an act to amend the Wicomico County Personnel Manual, Chapter 15 – entitled “Leave and Holiday Benefits,” to include an annual leave buy back provision.

Introduced and read first time on September 7, 2021. Ordered posted and public hearing scheduled for October 5, 2021 at 6:00 p.m.



Laura Hurley, Council Administrator

PUBLIC HEARING: Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, the Bill was read for a second time at a public hearing held on October 5, 2021.



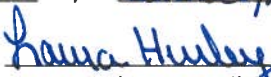
Laura Hurley, Council Administrator

CERTIFICATION: The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 5th day of October, 2021.



Laura Hurley, Council Administrator

Presented to the Acting County Executive for approval this 6th day of October, 2021 at 10 a.m. (5 days §411)



Laura Hurley, Council Administrator

BY THE ACTING COUNTY EXECUTIVE:



Acting County Executive

APPROVED
Date: 10/6/2021
(21 days §411)

VETOED
Date: _____

BY THE COUNCIL:

Option One: This Bill, having been approved by the Acting County Executive and returned to the Council, becomes law on October 6, 2021 and effective on: December 6, 2021.
(60 days §311)

Option Two: This Bill, having received neither the approval nor the disapproval of the Acting County Executive with 21 days of its presentation, stands enacted on _____ and becomes effective on _____.
(60 days §311)

Option Three: This Bill, being exempt from the Executive Veto stands enacted on _____ and becomes effective on _____. (Charter Section 305)

ENROLLMENT: Legislative Bill No. 2021-04 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.



Laura Hurley, Council Administrator