

ENROLLED

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND
LEGISLATIVE SESSION, 2015
BILL 2015-16

Introduced: November 17, 2015

BY: The Council President at the request of the County Executive

AN ACT to amend the Wicomico County Personnel Manual Chapter 15 entitled "Leave Benefits and Holidays", Section 1513 entitled "Other Paid Leave" to allow Administrative Leave in the event of a County Executive declared emergency, add a new Section 1518 entitled, "Liberal Leave," allowing non-essential employees to use accrued paid leave, except sick leave, under certain emergency conditions without penalty, and to amend Section 2701 entitled "Definitions" to add "Essential Employees".

WHEREAS, the County Executive desires to grant Administrative Leave to County employees in the event of a County Declared Emergency without charge to accrued leave time; and

WHEREAS, Liberal Leave allows non-essential employees to take unscheduled leave time during the workday using their accrued paid leave time, except sick leave, or to take unpaid leave, without penalty; and

WHEREAS, the Wicomico County Executive and the Wicomico County Council have determined that granting Administrative Leave and Liberal Leave to non-essential employees is a mutual benefit to the County and employees.

SECTION I: BE IT ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND, IN LEGISLATIVE SESSION, that an act to amend the Wicomico County Personnel Manual Chapter 15 entitled "Leave Benefits and Holidays," to amend Section 1513 entitled "Other Paid Leave," add a new Section 1518 entitled, "Liberal Leave," and amend Section 2701 entitled "Definitions" as follows:

Chapter 15
Leave Benefits and Holidays

1513 Other Paid Leave.

(g) Administrative Leave. The ~~Administrative Director~~ COUNTY EXECUTIVE may grant paid leave to County employees when natural causes, such as flood, snows, and other unforeseen events occur which prevent employees from reaching their place of work IN THE EVENT OF A COUNTY EXECUTIVE DECLARED EMERGENCY: Such leave may also be granted to protect the safety and welfare of employees when the above conditions occur during the course of the normal workday. When granted, Administrative Leave is a paid absence from work without charge to earned leave subject to the following:

Eligibility. Regular full time and regular part time employees who are at work, or scheduled to work, when Administrative Leave is declared shall be eligible for Administrative Leave. Employees designated as essential are required to report to work.

Changes to Leave Status. Persons on prior approved Annual Leave, Sick Leave, Personal Leave, Family Leave, or other previously approved status while others are granted Administrative Leave will be charged for leave as previously requested and approved.

Not Scheduled to Work. Employees not scheduled for work during time Administrative Leave is authorized, shall not receive any additional consideration.

1518 LIBERAL LEAVE. THE COUNTY EXECUTIVE MAY GRANT DESIGNATED EMPLOYEES LIBERAL LEAVE UNDER APPROPRIATE CONDITIONS. IF LIBERAL LEAVE IS DECLARED, THOSE EMPLOYEES WILL BE ABLE TO USE THEIR ACCRUED PAID LEAVE, WITH THE EXCEPTION OF SICK LEAVE, TO BE ABSENT FOR A PORTION OF THE WORK DAY OR THE ENTIRE WORK DAY. IF AN EMPLOYEE IS UNCERTAIN OF HIS/HER ABILITY TO UTILIZE LIBERAL LEAVE, THE EMPLOYEE MUST CONTACT HIS/HER SUPERVISOR FOR CLARITY AND FOR APPROVAL TO UTILIZE LIBERAL LEAVE.

(A) POLICY. UNLESS NOTIFIED BY YOUR SUPERVISOR, YOU ARE TO REPORT TO WORK ON ALL REGULARLY SCHEDULED DAYS, REGARDLESS OF WEATHER CONDITIONS. IN THE EVENT OF INCLEMENT WEATHER CONDITIONS, THE COUNTY MAY OPERATE UNDER CONDITIONS THAT WILL REQUIRE CERTAIN PERSONNEL TO REPORT TO WORK. LIBERAL LEAVE DETERMINATIONS DO NOT APPLY TO ESSENTIAL EMPLOYEES. ESSENTIAL EMPLOYEES ARE REQUIRED TO REPORT FOR WORK WHEN LIBERAL LEAVE IS DECLARED, UNLESS THEY ARE SPECIFICALLY EXCUSED BY THEIR SUPERVISORS. HOWEVER, DESPITE THE WEATHER, ALL COUNTY EMPLOYEES MAY AUTOMATICALLY BECOME ESSENTIAL PERSONNEL AND ARE SUBJECT TO BE CALLED TO ASSIST WITH THE EMERGENCY.

(B) THE COUNTY WILL MAKE EVERY EFFORT TO MAINTAIN NORMAL WORK HOURS EVEN DURING INCLEMENT WEATHER. UNDER CERTAIN WEATHER CONDITIONS, THE COUNTY EXECUTIVE MAY DECLARE LIBERAL LEAVE FOR ITS NON-ESSENTIAL EMPLOYEES. SUCH DETERMINATIONS ARE REPORTED TO THE MEDIA AND ARE POSTED ON THE COUNTY'S WEBSITE.

(C) THE FOLLOWING TERMS APPLY WHEN LIBERAL LEAVE IS IN EFFECT:

- (1) NON-ESSENTIAL EMPLOYEES ARE ALLOWED TO BE ABSENT FOR A PORTION OF A WORKDAY OR THE ENTIRE WORKDAY AND ARE CHARGED PAID LEAVE (I.E., ANNUAL, COMPENSATORY, FLOATING HOLIDAY, OR PERSONAL) OR LEAVE-WITHOUT-PAY, AS APPROPRIATE, FOR THE PERIOD OF ABSENCE.

- (2) EMPLOYEES MUST NOTIFY THEIR SUPERVISORS IF THEY INTEND TO TAKE LIBERAL LEAVE.
- (3) NON-ESSENTIAL EMPLOYEES WHO DO NOT REPORT TO WORK UNDER A LIBERAL LEAVE DETERMINATION WILL NOT BE PENALIZED FOR UNAPPROVED ABSENCE.
- (4) NON-ESSENTIAL EMPLOYEES ARRIVING LATE UNDER A LIBERAL LEAVE DETERMINATION WILL NOT BE PENALIZED FOR TARDINESS, BUT WILL BE CHARGED PAID LEAVE OR LEAVE-WITHOUT-PAY, AS APPROPRIATE, FOR THE PERIOD BETWEEN THE REGULAR STARTING TIME AND THEIR ARRIVAL.
- (5) IF LIBERAL LEAVE IS ANNOUNCED DURING THE WORKDAY, NON-ESSENTIAL EMPLOYEES WILL BE PERMITTED TO LEAVE THE WORKSITE, AT THEIR DISCRETION AFTER APPRISING THEIR SUPERVISORS. EMPLOYEES WILL BE CHARGED PAID LEAVE OR LEAVE-WITHOUT-PAY, AS APPROPRIATE, FOR THE PERIOD BETWEEN THEIR DEPARTURE AND THE END OF THEIR REGULAR WORKDAY.
- (6) EMPLOYEES MAY NOT USE SICK LEAVE FOR A LIBERAL LEAVE ABSENCE UNLESS THE ABSENCE MEETS THE CRITERIA FOR SICK LEAVE IN THIS PERSONNEL MANUAL (I.E. ILLNESS, FMLA, DISABILITY OR BEREAVEMENT).


2701 DEFINITIONS.

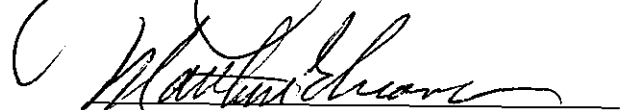
ESSENTIAL EMPLOYEES. ESSENTIAL EMPLOYEES ARE THOSE THAT PROVIDE SERVICES THAT RELATE TO THE HEALTH, SAFETY AND WELFARE OF THE COUNTY TO ENSURE CONTINUITY OF KEY OPERATIONS AND TO PROTECT AND MAINTAIN COUNTY PROPERTY. EMPLOYEES CLASSIFIED AS ESSENTIAL ARE NOT LIMITED TO: LAW ENFORCEMENT OFFICERS, CORRECTIONAL OFFICERS, 911 DISPATCHERS, PUBLIC WORKS EMPLOYEES AND OTHER EMPLOYEES AS CLASSIFIED OR DEEMED APPROPRIATE BY A DEPARTMENT HEAD IN A PARTICULAR SITUATION.

SECTION II. BE IT FURTHER ENACTED THAT this Bill shall be known as Bill No. 2015-16 of Wicomico County, Maryland and shall take effect sixty (60) days after its final passage, 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.

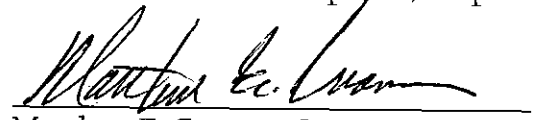
Certified correct as passed and adopted by the County Council of Wicomico County, Maryland
this 15th day of December, 2015.

WICOMICO COUNTY, MARYLAND


BY: John T. Cannon, President


BY: Matthew E. Creamer, 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.


Matthew E. Creamer, Secretary

Explanation:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

~~Strike out~~ indicates material deleted from law.

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

Underlining indicates Amendments to Bill.

COUNTY COUNCIL
OF
WICOMICO COUNTY, MARYLAND

BILL NO. 2015-16

Legislative Day No. 23

INTRODUCED BY: President of the Council upon recommendation of the County Executive

Date: November 17, 2015

Introduced, read first time, ordered posted and public hearing scheduled on: 12/15/15

Time: 10:30 a.m.

AN ACT to amend the Wicomico County Personnel Manual Chapter 15 entitled "Leave Benefits and Holidays", Section 1513 entitled "Other Paid Leave" to allow Administrative Leave in the event of a County Executive declared emergency, add a new Section 1518 entitled, "Liberal Leave," allowing non-essential employees to use accrued paid leave, except sick leave, under certain emergency conditions without penalty, and to amend Section 2701 entitled "Definitions" to add "Essential Employees".

PUBLIC HEARING: Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on 12/15/15 and concluded on 12/15/15.


Council Administrator

CERTIFICATION

The undersigned hereby certifies that this Bill was Approved and Adopted by the County Council of Wicomico County, Maryland, on the 15th day of December, 2015.


Council Administrator

Presented to the County Executive for approval this 15th day of December, 2015 at 3:30 a.m. (p.m) (5 days §411)


Council Administrator

BY THE EXECUTIVE:


County Executive

APPROVED
Date: 12/15/15
(21 days §411)

VETOED
Date: _____


EFFECTIVE DATE:

This Bill having been approved by the County Executive and returned to the Council, becomes law on 12-15-15 and effective on: 2-13-16. (60 days §311)


ENROLLMENT:

Legislative Bill No. 2015-16 is herewith submitted to the County Council of Wicomico County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT


Council Administrator
Date: 12/16/15

ENROLLED


Council President
Date: 12/16/15