



Larry Hogan GOVERNOR

Boyd K. Rutherford LT. GOVERNOR

Charles Glass, Ph.D., P.E. EXECUTIVE DIRECTOR

**BOARD OF DIRECTORS
HUMAN RESOURCES COMMITTEE
MEETING MINUTES
September 29, 2022**

LOCATION: Conference/Video Call

TIME: 8:30 a.m.

COMMITTEE MEMBERS PRESENT: Marian C. Hwang, Esq. (Chair) (video)
The Honorable Frederic N. Smalkin
Robert L. Witt II (video)
Hiram L. Tanner, Jr., P.E.

COMMITTEE MEMBERS ABSENT: None

OTHERS PRESENT: Charles C. Glass, Ph.D., P.E., Executive Director
Sean Coleman, Esq. (video)
Ellen Frketic
Hament Patel
Marni Dolinar
Steven King
Eric Hartlaub, Esq. (portion of meeting)
Pamela Fuller
Casey Powers (IT) (video)

CALL TO ORDER

Ms. Hwang called the meeting to order at 8:30 a.m. Some Board members and staff participated via Zoom video call; the remainder were present at Maryland Environmental Service (MES) Headquarters. The meeting was streamed live to the public via YouTube.

MINUTES

Ms. Hwang requested discussion or a motion for the approval of the June 30, 2022, meeting minutes. There were no questions or comments. The minutes were unanimously approved.

BEST FY22 FINAL PERFORMANCE

Ms. Frketic reviewed final status of the FY22 Best Goals. The agency achieved 100% with all goals, except for one. Covid restrictions in January and February prevented in-person sexual harassment training and limited the number of attendees when in-person training resumed. Despite restrictions, the agency was able to train 60% of employees, rather than the targeted 90%. Several questions were addressed.

BEST FY22 FUNDING AND PAYMENT RECOMMENDATION

Mr. Patel reviewed the components of the BEST funding. The funding for the BEST program comes from the FY22 net earnings. The net earnings are made up of fringe variance, overhead variance, project variance, working capital, the equipment fund and interest income. These items total \$4,577,000. In addition, he is recommending adding \$37,992 left over from the FY21 BEST fund that were not paid out due to eligible employees who left before the payout, for a grand total of \$4,614,992. This is about one million dollars more than last year. This increase is almost entirely due to increase in the project variance funds due to an increase in billable labor for the service center projects.

Since the agency met 98% of its goals, and the only goal not fully met was beyond the control of agency employees, he is recommending distributing 100% of the BEST pool. From that full total, the agency will deduct the amounts necessary to pay FICA, Medicare and 401k for eligible employees. This leaves \$4,063,962 for the BEST pool. MES management is recommending distributing that pool as follows:

- BEST Amount 60.03% \$2,439,596 (\$4,025 per employee)
- BEST PLUS 35.30 \$1,434,696
- Executive Incentive 4.67% \$189,670

The BEST resolution calls for the BEST pool to be at least 40% of the funds. Management wanted more funds to go to every employee so is recommending 60% for the BEST pool. Efforts are being made to make sure BEST Plus is distributed in a fair and transparent manner. No employee will receive a BEST, BEST Plus or Executive Incentive that totals more than 14% of their base salary. BEST Plus is connected to annual performance appraisals.

The BEST pool funds can be used for the BEST Payout or placed in the Contingency Fund. Mr. Patel stated that currently, MES's contingency fund has more than adequate funding. Items contributing to the larger than normal balance include a

focus on billable labor and reduction in overhead expenses, fewer employees than FY21 and an increase in billable labor in the “service center” projects.

After discussion, the committee deferred voting on a recommendation for the proposed BEST payment plan in order to consult with the full Board. The approval of the full Board is required for passage.

ENVIRONMENTAL SPECIALIST CAREER LADDER

Ms. Dolinar presented the Environmental Specialist (ES) career ladder for review and approval. Restructuring the current Environmental Specialist classification is necessary for the agency to establish an enhanced career path with education, trainings, certifications, and career growth opportunities for new and existing environmental specialists. This enhanced ladder moved ES Trainees from a grade 2 to a grade 3 and adds the Senior ES II level. There were no questions. Mr. Witt made a motion to approve the Environmental Specialist career ladder for approval to the full Board. Judge Smalkin seconded. The motion passed unanimously.

TIMECLOCK POLICY

Mr. Patel presented a new policy for review and approval. This Timeclock Policy covers the use of digital time clock and time clock data at certain MES facilities designated by management. Some facilities already have manual time clocks. The data from these clocks is manually entered in Workday by administrative staff. New digital timeclocks will be integrated with Workday. Procedures and controls will be put in place to ensure the accuracy of time entered. The new clock is currently being tested at the Midshore Landfill. The timeclocks will only be rolled out at larger centralized facilities like landfills and Material Recycling Facilities (MRFs). Judge Smalkin made a motion to recommend approval of the policy to the full board. Mr. Witt seconded. The motion passed unanimously.

BACKGROUND CHECK POLICY

Dr. Glass introduced the Background Check Policy for review. The agency has been working on drafting this policy for a while and is now asking for input from the Committee. Dr. Glass asked the Committee to submit any questions or comments. Judge Smalkin indicated there are many issues to consider. He suggested that it may be necessary to hire an outside consultant for assistance.

ADJOURNMENT

Upon motion by Ms. Hwang, the meeting adjourned at 9:30 a.m.

Marian C. Hwang

MARIAN HWANG, ESQ.
HUMAN RESOURCES COMMITTEE CHAIR