



Board of Directors Meeting Human Resources Committee

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June 12, 2025

1:00 p.m.

Agenda

Board Members

Robert L. Witt, II
Chair, HR Committee

Hon. Frederic N. Smalkin

James H. Johnson Jr.,
Ph.D., P.E.

Shelley Heller

Call to Order

Robert Witt

Approval of Minutes – April 17, 2025

Robert Witt

Performance Based Compensation

Charles Glass

- Salary Card adjustment

Policies for review and approval:

Felicia Gross

- HR 1.12 Reinstatement Policy
- HR 4.01 Resignation Policy
- HR 9.01 BEST Program
- HR 10.07 Shift Differential

Closed Session:

- Approval of Minutes – June 13, 2024
- Executive Director Performance Evaluation
- Executive Director Salary

Robert Witt

Administrative Function:

- Board Member Financial Disclosure review

REINSTATEMENT POLICY

I. POLICY

It is the policy of the Maryland Environmental Service to reinstate an eligible former employee of the Service who returns to active duty within three years of the employee's separation from Service employment.

II. PURPOSE

To enable an eligible Maryland Environmental Service employee to leave and return to active duty within a period of three years, with reinstatement to the employee of time in service credit.

III. ELIGIBILITY

- A. The following former employees, whether full-time or part-time, are eligible for reinstatement:
1. An employee who was separated as a result of a layoff.
 2. An employee who resigned in good standing.
 3. An employee who was separated because of not meeting the requirements of the Operator in Training Program. The employee is not eligible to be reinstated into the OIT program.
- B. A former employee who did not have a satisfactory work record with the Service shall not be eligible for reinstatement.

IV. PROCEDURES

- A. An eligible former employee of the Service may be reinstated to the Service within three years from the date of separation from active service subject to the availability of an employment position for which the employee is qualified.
- B. An individual who is reinstated shall receive Service credit for time employed before separation for the purpose of determining the employee's:

1. Placement in the salary schedule
 2. Rate of annual leave accrual; and
 3. Length of service
- C. The availability of reinstatement does not require the Service to rehire an individual who has previously separated from the Service.
- D. An individual who is reinstated may be required to pass a pre-employment medical examination.
- E. This policy will follow any update to COMAR 14.27.02.

V. REINSTATEMENT OF VETERANS

Notwithstanding the foregoing, the Service shall reinstate returning veterans in accordance with the MD Ann. Code, St. Pers. & Pen. Article §20-701 et seq., and after applicable State and federal law.

VI. REVISION HISTORY

Version	Date of Change	Section	Description of Change
.001	10/23/1997	Full Document	Initial adoption of new policy
.002	06/06/2025	§IV Procedures	Removes restoration of unused sick leave



RESIGNATION

I. SCOPE AND PURPOSE

To establish a procedure for employment resignations in accordance with the terms and conditions of the employee's employment contract.

II. DEFINITIONS

N/A

III. POLICY

It is the policy of the Maryland Environmental Service to consider an employee's voluntary termination of employment as a resignation if the employee provides prior notice to the Service.

IV. PROCEDURES

- A. An employee shall give fourteen (14) calendar days prior notice to the Service before the employee resigns or voluntarily terminates the employment contract.
- B. A resignation shall be in writing and submitted to the employee's immediate supervisor. The immediate supervisor will immediately forward written resignations to the Managing Director and the Human Resources Division for inclusion in the employee's official personnel file.

Unless otherwise set forth in the resignation and agreed by the Service, a resignation shall be effective 14 days after notice of the resignation is given to the Service.

- C. The employee cannot schedule paid leave during the last two weeks of employment. Any requested ~~unscheduled~~ leave during the last two weeks of employment must be approved by the employee's supervisor and may require the additional approval of the Managing Director or Human Resources. If leave was scheduled prior to submission of a letter of resignation, that leave may be rescinded.
- D. A Managing Director shall notify the Human Resources Division as soon as the Managing Director becomes aware of an impending voluntary termination.
- E. The employee's immediate supervisor will meet with the employee, if possible. The immediate supervisor will review the circumstances of the employee's decision to resign.

- F.** The employee's immediate supervisor shall ensure that the employee returns all Service property and identification on the final day of work.
- G.** An employee who resigns shall receive pay for hours worked. The final paycheck will also include any unused earned annual leave to the extent permitted by the Service's regulations and policies. Any amount owed by the employee to the Service will be deducted from the employee's pay. If the amount owed by the employee to the Service is greater than the pay owed to the employee, the unpaid amount continues to be a debt of the employee owed to the Service.
- H.** Accrued, unused sick leave is forfeited at the termination of employment.
- I.** All resignations will be processed through the Human Resources Division to assure compliance with this policy.
- J.** The Human Resources division will ensure the resignation paperwork is processed in Workday.
- K.** An employee who fails to submit a letter of resignation in accordance with this policy shall be considered to have abandoned the employee's employment in accordance with Policy No. 4.03.
- L.** This policy will follow any update to COMAR 14.27.02.

V. RELATED POLICY AND PROCEDURE LINKS

N/A

VI. REVISION HISTORY

Version	Date of Change	Section	Description of Change
.001	10/23/1997	Full Document	Initial adoption of new policy
.002	06/06/2025	§IV Procedures	Updated and elaborated procedures



Policy #: HR 9.01
Policy Category: Performance Based Eval & Comp
Department Responsible: Human Resources
Effective Date(s): 10/28/2021
Board of Directors Approval: 10/28/2021
Last Edit: 6/6/2025

BEST PROGRAM - INCENTIVE PROGRAM PAY

I. SCOPE AND PURPOSE

- **BEST Program Purpose**
 - To recognize and reward eligible employees, who contribute to the continued growth and strength of the Service.
 - To pay eligible employees an incentive for meeting and exceeding preset goals.
 - To emphasize that all employees have an impact on the success of the Service.
 - To emphasize the importance of cooperation and teamwork to the growth and success of the Service.

II. POLICY STATEMENT

The General Assembly has directed the Maryland Environmental Service to compensate employees based on performance. It is the policy of the Maryland Environmental Service pursuant to resolutions adopted by the Board of Directors to offer the Building Excellence and Success Together (BEST) incentive program, which includes a BEST Plus component, and to offer an Executive Employee Incentive Plan for certain designated employees of the Service.

III. DEFINITIONS

BEST Program – is the Building Excellence and Success Together incentive program which grants eligible employees an incentive payment if (a) the Service is successful in achieving or exceeding defined performance goals for the prior fiscal year, and (b) funds are available to be awarded, as determined by the Board of Directors.

Funds Available / BEST Pool – is the sum of the fringe variance, overhead variance (including working capital), project variance (including Equipment Fund income), interest income, and adjustments as approved by the Board of Directors. .

BEST - This award is based on the number of eligible employees as of June 30th each fiscal year.

BEST Plus – is an additional payment granted by the Executive Director to individual employees who have made extraordinary contributions to achieving the BEST goals of the Service. These employees receive this individual award as well as a BEST award.

Executive Incentive Plan – is an annual incentive payment paid to certain designated employees of the Service based on the Agency’s achievement of its annual goals, as determined by the Board of Directors.

IV. ELIGIBILITY

A. BEST and BEST Plus Eligibility

All permanent, full, and part-time employees (but not including Assistant Attorneys General, and staff of the Chesapeake Bay Trust) who:

- have received at least a “meets expectations” rating overall on the employee’s last performance appraisal (3.0)
- are active employees at the time of BEST payout
- are supervised by an MES employee
- are not on probation as of June 30, and
- are not eligible for the Executive Incentive.

B. Executive Incentive Eligibility

The Executive Incentive Plan only applies to:

- Executive Director
- Deputy Director
- A Managing Director of the Service

V. DISTRIBUTION

- A. By September 30 of each year, the Executive Director shall prepare and deliver to the Board an analysis of the Service’s success in meeting its goals for the prior fiscal year. At the first meeting of the Board after September 30 of each year, the Board shall determine (a) the success of the Service in meeting the goals established for the prior fiscal year, (b) the Funds Available to be used for the BEST pool, including the total amount of funds available for the Executive Incentive Plan.

B. BEST Award

This distribution is based on the number of eligible employees as of June 30th (last day of the fiscal year) divided into the BEST pool. Each eligible full-time employee receives the same amount. Eligible part-time employees will receive a payment prorated based on their full time equivalency (“FTE”).

The BEST Pool should be comprised of at least 40% of the Funds Available. Notwithstanding that goal, the Board reserves the right to reduce the percentage of Funds Available to less than 40% if the Board, in its sound business judgment,

determines that the financial needs and circumstances of MES warrant a lower percentage.

C. BEST Plus Award

The Board shall also approve at least 20% of the Funds Available to be used by the Executive Director to distribute to the Managing Directors to reward individual employees who have made extraordinary contributions to achieving the BEST goals of the Service. Notwithstanding, the Board reserves the right to reduce the percentage of Funds Available to less than 20% if in its sound business judgement, the Board determines that the financial needs and circumstances of MES warrant a lower percentage. These individuals shall receive an individual BEST Plus award as well as a BEST award. BEST Plus award for eligible and recommended part-time employees will be prorated based on FTE.

The Managing Directors will provide written recommendations and justifications to the Executive Director or Deputy Director for employees recommended for BEST Plus awards. The Executive Director or Deputy Director may modify or reject a recommendation for a BEST Plus award.

D. Award of Executive Incentive Plan Payment

An award to eligible employees under the Executive Incentive Plan will be based on the extent to which the Service's Strategic Business Goals and the BEST Goals are achieved. The Service shall, no later than July 31, submit to the Board for its approval, proposed Strategic Business Goals and proposed BEST goals for the fiscal year.

The amount of each individual Executive Incentive payment shall be determined by multiplying an equal percentage not to exceed fifteen percent (15%) to the base pay of each eligible employee, prorated based on their tenure in their executive position for that fiscal year.

VI. INTERPRETATION WITH BOARD RESOLUTIONS

Board Resolutions 99-10-6R and 99-10-7R, as amended, which established the BEST and Executive Incentive Plans, shall continue in effect and are not repealed. The provisions of this Policy and the Board Resolutions are to be interpreted and applied to give each their fullest effect. If any provision of this Policy directly conflicts with any of the Board Resolutions, then the provisions of this Policy shall prevail.

VII. RELATED POLICY AND PROCEDURE LINKS

N/A

VIII. REVISION HISTORY

Version	Date of Change	Section	Description of Change
.001	10/28/2021	Full Document	Initial adoption of new policy format
.002	06/06/2025	Full Document	Clarification and restructuring

DRAFT



SHIFT DIFFERENTIAL

I. POLICY

It is the policy of the Maryland Environmental Service to pay shift differential to eligible employees who work a qualifying shift.

II. PURPOSE

To designate the schedule that is subject to shift differential pay and identify the additional compensation applicable to employees who work schedules eligible for shift differential pay.

III. PROCEDURES

- A. The Service will pay shift differential to all hourly, non-exempt employees who work a qualifying shift.
- B. A qualifying shift is a scheduled full-time or part-time shift at an MES facility which starts at any time between the hours of 2:00 PM and the following 4:00 AM. Employees who are scheduled to work 12-hour shifts will be paid for the portion of their shift that is outside of core hours.

For example:

An employee who is scheduled to work 7am – 7pm will receive shift differential pay for 4pm – 7pm.

An employee who is scheduled to work from 7pm – 7am will receive shift differential pay for 7pm – 4am.

- C. Employees assigned to work between the hours designated as a qualifying shift in B above for seasonal and/or temporary projects are eligible for shift differential during the duration of the seasonal/temporary project.
- D. Shift differential shall not be paid to employees on leave.
- E. Shift differential pay is not added to holiday pay unless the employee works a qualifying shift on an observed holiday.
- F. Employee must be assigned to the qualifying shift by their immediate supervisor or higher-level management in order to receive shift differential

pay.

G. The rate of shift differential for eligible employees is \$1.65 per hour.

IV. REVISION HISTORY

Version	Date of Change	Section	Description of Change
.001	3/31/2008	Full Document	Initial adoption of new policy
.002	06/06/2025	§IV Procedures	Updated and elaborated procedures

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