BOARD OF DIRECTORS
MARYLAND ENVIRONMENTAL SERVICE
RESOLUTION
(20-10-1R)

A RESOLUTION repealing

MES Resolutions 03-06-1R and 06-05-2R, modifying the manner by which certain classes of MES employees may earn and utilize certain types of paid leave, and generally relating to the Human Resources System of the Service.

R E C I T A L S

The Service was created by, exists under, and exercises the powers contained in Sections 3-101 to 3-130, inclusive, of the Natural Resources Article of the Annotated Code of Maryland (the "Act") including (among others) the power to adopt, formulate, revise and enforce rules and regulations.

Pursuant to the Act, the Service has adopted COMAR 14.27.02 establishing and governing a Human Resources System. Regulation .11 governs the amount of annual leave employees of the Service may earn and accumulate, and the conditions of use of annual leave. Regulation .13 governs the amount of compensatory leave employees of the Service may earn and accumulate, and the conditions of use of compensatory leave.

In recognition of the significant degrees of responsibility, supervision and authority expected of various classes of employees of the Service, the Board previously determined that a more flexible approach to annual leave and compensatory leave was required for those employees. On June 26, 2003, the Board adopted MES Resolution 03-06-1R. MES Resolution 03-06-1R modified MES' Human Resources Regulations relating to annual leave, and established policies relating to the amounts and circumstances by which specified classes of employees of the Service may earn and utilize compensatory leave. On May 25, 2006 the Board adopted MES Resolution 06-05-2R, amending MES Resolution 03-06-1R. The Board has now determined to repeal both resolutions and adopt new policies for annual leave and compensatory leave for certain classes of employees. The Service considers the adoption of this Resolution to be in furtherance of the purposes of the Act and the Service.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MARYLAND ENVIRONMENTAL SERVICE, THAT:

1. MES Resolution 03-06-1R and MES Resolution 06-05-2R are hereby repealed.

2. There shall continue to be a class of Service employees to be known as the "Senior Management Class." Employees in the Senior Management Class shall be those senior management employees of the Service who are appointed by, and report directly to, the Director, and shall include Officers of the Service who are employed full time by the Service.

3. Employees in the Senior Management Class shall earn Annual Leave at the rate of 2.5 hours for each 26 hours worked but may not earn more than 200 hours of Annual Leave in a calendar year.

4. The provisions of COMAR 14.27.02.11.B-D shall apply to all employees in the Senior Management Class.

5. Employees in the Senior Management Class may earn and utilize Compensatory Leave in accordance with COMAR 14.27.02.13, except that such employees may not carry over from one pay period to the next pay period more than sixteen (16) hours of unused compensatory time which they earn after the effective date of this Resolution. Employees who have earned Compensatory Leave prior to entering the Senior Management Class may utilize the balance of such leave in accordance with COMAR 14.27.02.13.

6. Paragraphs 1, 2, 4, and 5 of this Resolution shall be effective immediately upon its adoption.

7. Paragraph 3 of this resolution shall be effective immediately upon its adoption for any individual who is appointed to the Senior Management Class after October 22, 2020.

8. For those employees in the Senior Management Class on October 22, 2020, the provisions of Paragraph 3 of this Resolution shall not be applied until the first day of the first full pay period in Calendar Year 2021. Nothing in this Resolution shall be construed to reduce or modify any Annual Leave granted to employees in the Senior Management Class prior to October 22, 2020.

ADOPTED, this 22nd day of October, 2020.

SEAL

MARYLAND ENVIRONMENTAL SERVICE

BY: Charles Glass
CHARLES GLASS, PhD., ACTING DIRECTOR

BY: Frederic N. Smalkin
FREDERICK N. SMALKIN, SECRETARY