

Office of the Sheriff  
Somerset County, Maryland

General Order: 01-14-24

Effective Date: January 1, 2016

Revised Date: December 1, 2015

Chapter 35  
Section 1  
Compensation

1. Purpose

The employees of the Office of the Sheriff (including all law enforcement personnel and all civilian personnel), enjoy some of the benefits of the County personnel system because, by law, the County provides financial support to this office, the activities of the employees are controlled by State law. The Sheriff's Office has promulgated and maintains its own rules and regulations.

2. Pay of Employees

- A. Qualified Applicants hired into authorized positions shall be paid in accordance with the currently authorized pay scale. Each of the classes shall be allocated to a pay grade and entry into this system shall be at the minimum pay level of that grade. In those cases, where after diligent advertising in the appropriate professional journals and local newspapers, no individual is available for work in the approved basic rate of pay and individuals are available who are only willing to come in at a higher rate of pay, the Sheriff, who is the Appointing Authority may, at his option, place a new individual into the system at one of the interim steps within the prescribed grade. No individual shall be hired in a grade higher than that authorized for his/her classification.
- B. Part time employees' starting hourly rate shall be equivalent to the base hourly rate for the job grade within the classified system for which a part time employee is hired.
- C. Seasonal Part-time Employees starting hourly rate shall be equivalent to the base hourly rate for the job grade within the classified system for which a Seasonal Part-time Employee is hired, as specified on the Seasonal/Part-time Pay Scale.

- D. After at least one (1) year of service, the Sheriff may recommend, at the budget cycle, and incremental step increase equivalent to a two and a half percent (2½%) increase to the hourly wage of the Part-time and/or Seasonal Part-time Employee based on work performance/merit. All salary and/or hourly rate increases are determined at budget time by the County Commissioners.

### 3. Working Hours

- A. After at least one (1) year of service, the Sheriff may recommend, at the budget cycle, incremental step increase equivalent to a two and a half percent (2½%) increase to the hourly wage of the Part-time and/or Seasonal Part-time Employee based on work performance/merit. All salary and/or hourly rate increases are determined at budget time by the County Commissioners.
  - 1) Individuals who are required to work longer periods of time are entitled to compensation under the following guidelines:
    - a) At straight time up to a total of forty (40) hours per week.
    - b) At time and one half (1½) after forty (40) hours per week (for both paid overtime compensation and compensatory leave time).
    - c) Double pay shall be paid to all employees who are required to work during their off-duty hours on Thanksgiving Day, Christmas Day and New Year's Day because of an emergency and a call to work order from the Sheriff or the Chief Deputy or a Department Director. Regular scheduled employees for duty on Thanksgiving Day, Christmas Day and New Year's Day shall not receive double pay.
- B. Compensatory Leave – All Employees except Department Heads shall be entitled to compensatory leave time for work performed in excess of the normal workweek. Authorization to work for comp time must be given in advance by the Chief Deputy. Compensatory leave should be taken not later than ninety (90) days after it is earned, so that it does not adversely affect the operation of the County. The Chief Deputy is permitted the flexibility of allowing an employee to go beyond the ninety (90) day grace period in order to meet the needs of the office.
- C. Pursuant to 29 USC S. 207(e), overtime compensation (premium rates) is calculated based upon actual hours worked. For the purpose of calculating overtime, all holidays and earned leave will be included as work time.

### 4. Step-Up-Rate

Employees working in a classification higher than their own for a period greater than fifteen (15) consecutive working days shall be paid at the rate of the higher rated classification retroactive to the first day.

5. Salary Increases

- A. Salary increases are determined at budget time by the County Commissioners. All eligible employees will receive any COLA, pay scale adjustment, or incremental step increase when the budget permits, usually at the beginning of the Fiscal Year (July 1). New employees, however, are not eligible for their first step increase until they have been employed one (1) year.
- B. Probationary, Extended Probationary, Promotional Probationary and Disciplinary Probationary Employees will not be eligible to receive any budget approved incremental step increase until they have successfully completed their probationary period.

6. Payroll Deductions

Deductions withheld from employee paycheck are as follows:

- A. Mandatory Deductions
  - 1) Federal withholding tax, State withholding tax, Social Security, and Retirement/Pension.
- B. Optional Deductions
  - 1) Health insurance, other types insurance, Dues, Christmas Club, SECU, Nationwide Retirement Solutions (\*NRS – the County’s 457 Tax Deferred Compensation Plan), etc.
  - 2) \*NRS (457 Tax Deferred Compensation Plan) – The County will only make payments to this plan through payroll deductions from the Employee’s bi-weekly salary.
- C. Court Ordered
  - 1) Child Support, Wage Garnishments, IRS levies, etc.

7. Retirement and Pension

- A. Participation in the State Retirement or Pension System is mandatory – For Regular Full-time Employees and part-time employees budgeted to work 500 or more hours in a fiscal year– Effective Date of Hire.
- B. The County participates in the Maryland State Alternate Contributory Pension Selection (ACPS) System, which requires an Employee contribution of seven percent (7%) of their annual salary (this contribution is payroll deducted bi-weekly).

8. Health Insurance

A. Employees may elect to participate in Somerset County's Health Insurance Plan as approved by the Board of County Commissioners.

1) Full-Time Employees

Permanent Full-time Employees shall qualify for cost sharing during the term of their employment. Retired full-time Employees may remain in the group plan and may continue to qualify for cost sharing provided they have qualified for a service retirement under the State Retirement or Pension System immediately upon leaving County Service (this does not include a deferred retirement status) and:

- a) Are at least sixty (60) years of age, and have completed at least ten (10) years of service immediately preceding retirement, or
- b) Are fifty-five (55) years of age and have completed at least ten (10) years of service immediately preceding retirement, in which case such Employees shall be required to pay one hundred percent (100%) of all premiums until reaching age sixty (60) at which time they will qualify for cost sharing, or
- c) Are at least (50) years of age and have completed (20) years of service preceding retirement, or
- d) Are less than sixty (60) years of age and have completed at least thirty (30) years of service immediately preceding retirement, or
- e) Have qualified for disability retirement and have completed at least ten (10) years of County Service immediately preceding retirement.

2) Elected Officials

Elected officials, including the Sheriff, shall qualify for cost sharing during the term of their office. Upon leaving office, elected officials may remain in the group plan and may continue to qualify for cost sharing provided:

- a) They have qualified for a Service Retirement under the State Retirement or Pension Systems.
- b) They have completed three (3) full terms of elected service, twelve (12) years.

## 9. Workers Compensation

### A. In Performance of the Job

- 1) If an Employee sustains an injury while in the actual performance of his/her job, the following steps must be taken:
  - a) The Employee must report the injury to his/her Supervisor immediately.
  - b) Supervisors are responsible for providing to the injured worker the Employee's First Report of Injury Form and the Authorization for Release of Medical Information forms. The Department Head/Supervisor is responsible for filling out the Supervisor's Accident Investigation form and seeing that any witnesses fill out the Accident Witness Statement. All forms must be submitted to the Human Resources office in a twenty-four (24) hour period.
- 2) The Employee may be granted, under certain conditions, accident leave with full pay.
- 3) Accident leave, which equates to 100 percent of the employee's pay for Regular Employees, ends when a medical provider certifies in writing that the employee is able to return to work, or at six (6) months from the date of the initial injury, whichever first occurs. Accident leave for Probationary Employees, equates to two-thirds of the employee's pay.
- 4) Accident leave is not charged to any earned sick leave.
- 5) Follow up doctor appointments are not considered accident leave and will be charged to the employee's accrued leave.
- 6) Family and Medical Leave will run concurrently with accident leave.

## 10. Temporary Employees

Temporary County Employees will receive only those fringe benefits mandated by law.

## 11. Jury Duty

- A. Any employee (excluding those classified as part-time employees) responding to a summons to attend court for service or prospective service as a petit or grand juror may be absent, without loss of pay and without charge against any leave. When the employee is dismissed from the aforesaid duty, the employee shall return to the job.
- B. Employees (excluding those classified as part-time employees) serving on a jury, during regularly scheduled work hours or on scheduled leave, without loss of pay from employment, must deliver court payment to the Chief Deputy, who will promptly deliver such payments for deposit. Shift-Work Employees, who serve on a jury, during non-scheduled work hours, are not required to remit their court payment fee to the county.

12. Leave Donation Program

- A. Employees may donate leave to another employee (must be regular full-time to be eligible) for medical purposes if:
  - 1) Employee receiving leave has completed a medical request form, which has been signed by his/her physician, and
  - 2) Employee has no available leave including sick leave, vacation leave, personal leave, and compensatory leave, and
  - 3) The illness or medical emergency is not likely to permanently disable the employee.
  - 4) Neither employee is under a period of suspension, disciplinary probation or serving their initial one (1) year probationary period.
- B. Any employee donating sick leave must have a balance of at least 240 hours after donation.
- C. All forms may be obtained from the Human Resources Department.
- D. Medical leave, utilizing the Leave Donation Program, is considered terminated on the date the leave recipient no longer has a medical emergency, upon termination or suspension from service as an employee, during an approved unpaid leave of absence, or upon a determination that the employee has abused or misused any of the rules of procedure established for the Leave Donation Program.

Ronald Howard  
Sheriff  
Somerset County