

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2007, Legislative Day No. 11

Bill No. 47-07

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Mr. S.G. Samuel Moxley, Chairman  
By Request of County Executive

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By the County Council, May 24, 2007

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A BILL  
ENTITLED

AN ACT concerning

Employees Retirement System and the Personnel Law of Baltimore County - General County Employees

FOR the purpose of altering the normal service retirement age for certain members of the Employees Retirement System; altering the normal service retirement allowance for certain members; ~~altering the early retirement allowance for certain members~~; altering the disability retirement allowance for certain members; repealing obsolete language; enacting a deferred retirement option program for certain members; providing for the application of this Act; exempting certain former employees; ~~providing for contingencies~~ providing for certain changes to the Baltimore County Classification and Compensation Plans by amending a certain Pay Schedule; changing certain job classifications, class titles, codes and grades; amending certain personnel rules and regulations; clarifying certain law; and generally relating to the Employees Retirement System and the governance and compensation of the personnel of baltimore County Government.

By adding

Section 5-1-304  
Title 1. Employees Retirement System  
Article 5. Pensions and Retirement  
Baltimore County Code, 2003

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EXPLANATION:           CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
                                  [Brackets] indicate matter stricken from existing law.  
                                  ~~Strike-out~~ indicates matter stricken from bill.  
                                  Underlining indicates amendments to bill.

1 By repealing and reenacting, with amendments  
2 Sections 5-1-213, 5-1-214(a) and (c), ~~and 5-1-222~~ 5-1-222, and 5-1-230(b) (as enacted in Bill 42-07)  
3 Title 1. Employees Retirement System  
4 Article 5. Pensions and Retirement  
5 Baltimore County Code, 2003

6  
7 By repealing and reenacting, with amendments

8 Pay Schedule II  
9 Section I, Pay Schedules

10 By repealing and reenacting, with amendments

11 Certain job classifications and pay grades  
12 Section II, Classifications and Grades

13 By repealing and reenacting, with amendments

14 Compensation Plan Rules and Regulations, Section IV  
15 Regulation 10.01A

16 All of the Baltimore County Classification and Compensation Plans  
17 (Bill No. 27, 1976, as amended)

18 SECTION 1. BE IT ENACTED, BY THE COUNTY COUNCIL OF BALTIMORE  
19 COUNTY, MARYLAND, that Section 5-1-304 is hereby added to Title 1. Employees  
20 Retirement System, Article 5. Pensions and Retirement, of the Baltimore County Code, 2003, as  
21 amended, to read as follows:

22 § 5-1-304. DEFERRED RETIREMENT OPTION PROGRAM -- GENERAL COUNTY  
23 EMPLOYEES.

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
25 MEANINGS INDICATED.

26 (2) “DROP ALLOWANCE” MEANS THE ANNUAL PENSION  
27 CONTRIBUTED TO THE DROP ACCOUNT.

28 (3) “DROP PERIOD” MEANS THE PERIOD OF TIME THE MEMBER  
29 SERVES IN THE DROP PROGRAM.

1 (4) "DROP PROGRAM" MEANS THE DEFERRED RETIREMENT  
2 OPTION PROGRAM FOR MEMBERS.

3 (5) "DROP SERVICE" MEANS:

4 (I) QUALIFYING SERVICE; AND

5 (II) TRANSFER SERVICE WITHIN THE COUNTY

6 GOVERNMENT SUBJECT TO RULES ADOPTED BY THE BOARD OF TRUSTEES  
7 UNDER § 5-1-301 OF THIS SUBTITLE.

8 (6)(I) "MEMBER" MEANS A GROUP 3 MEMBER IN ACTIVE SERVICE.

9 (II) "MEMBER" DOES NOT INCLUDE:

10 1. A GROUP 3 MEMBER WHO BEGINS SERVICE ON OR  
11 AFTER JULY 1, 2007;

12 2. AN ELECTED OFFICIAL;

13 3. A MEMBER AS DEFINED IN § 5-1-218 OR § 5-1-219 OF  
14 THIS TITLE; OR

15 4. AN APPOINTED DEPARTMENT ~~HEAD~~; OR HEAD.

16 ~~5. A MEMBER IN PAY SCHEDULE H OF THE~~  
17 ~~CLASSIFICATION AND COMPENSATION PLAN.~~

18 (7) (I) "QUALIFYING SERVICE" MEANS:

19 1. MEMBERSHIP SERVICE;

20 2. RETIREMENT SYSTEM MEMBERSHIP CREDIT FOR  
21 ACCUMULATED UNUSED SICK LEAVE; AND

22 3. CREDITABLE MILITARY SERVICE.

23 (II) "QUALIFYING SERVICE" DOES NOT INCLUDE OTHER  
24 JURISDICTIONAL SERVICE OUTSIDE BALTIMORE COUNTY.

25 (B) A MEMBER MAY ELECT TO PARTICIPATE IN THE DROP PROGRAM IF  
26 THE MEMBER IS AT LEAST 55 YEARS OLD AND WHOSE YEARS OF QUALIFYING  
27 SERVICE WHEN ADDED TO THE MEMBER'S AGE EQUALS AT LEAST 85 (RULE-OF-  
28 85).

29 (C)(1) A MEMBER MAY BE IN SERVICE FOR A DROP PERIOD OF NOT LESS  
30 THAN 5 YEARS AND NOT MORE THAN 10 YEARS.

1 (2) A MEMBER IS NOT REQUIRED TO COMMIT TO A FUTURE  
2 RETIREMENT DATE AT THE DATE OF ELECTION.

3 (3)(I) A MEMBER MAY OPT OUT OF THE DROP AT ANY TIME.

4 (II) IF THE MEMBER OPTS OUT OF THE DROP, THE MEMBER'S  
5 RETIREMENT BENEFIT SHALL BE TREATED AS IF THE MEMBER HAD NOT  
6 ELECTED TO ENTER THE DROP.

7 (4)(I) IF A MEMBER IN THE DROP DIES BEFORE COMPLETING 5 YEARS  
8 OF SERVICE IN THE DROP, THE MEMBER'S RETIREMENT BENEFIT SHALL BE  
9 TREATED AS IF THE MEMBER HAD NOT ELECTED TO ENTER THE DROP.

10 (II) IF A MEMBER IN THE DROP DIES AFTER COMPLETING AT  
11 LEAST 5 YEARS OF SERVICE IN THE DROP, THE MEMBER'S BENEFICIARY MAY:

12 1. RECEIVE THE DROP BENEFITS AS PROVIDED IN THIS  
13 SECTION; OR

14 2. BE TREATED AS IF THE MEMBER HAD NOT ELECTED  
15 TO ENTER THE DROP.

16 (D) RETIREMENTS UNDER THE DROP PROGRAM MAY BEGIN ON OR  
17 AFTER JULY 1, 2012.

18 (E) A DROP ACCOUNT FOR A MEMBER SHALL BE ESTABLISHED AS OF  
19 THE MEMBER'S ELECTION TO PARTICIPATE IN THE DROP PROGRAM, AND SHALL  
20 CONSIST OF THE FOLLOWING:

21 (1) THE MEMBER'S DROP ALLOWANCE FOR EACH YEAR  
22 ADJUSTED IN ACCORDANCE WITH SUBSECTIONS (G), (H), AND (I) OF THIS  
23 SECTION;

24 (2) CONTRIBUTIONS TO THE RETIREMENT SYSTEM MADE BY A  
25 MEMBER DURING THE DROP PERIOD;

26 (3) A ONE-TIME CREDIT OF UNUSED SICK TIME EARNED WHILE IN  
27 THE DROP PROGRAM OVER THE MEMBER'S BENEFIT BASIS TIMES THE  
28 MEMBER'S AVERAGE FINAL COMPENSATION; AND

29 (4) 5% INTEREST EARNED ON BOTH THE MEMBER'S DROP  
30 ALLOWANCE AND THE MEMBER'S ACCUMULATED CONTRIBUTIONS DURING THE

1 DROP PERIOD, BASED ON THE ADMINISTRATIVE PROCEDURES CURRENTLY USED  
2 TO DETERMINE THE MEMBER'S ACCUMULATED CONTRIBUTIONS.

3 (F) A MEMBER MAY CHOOSE TO:

4 (1) RECEIVE THE DROP ACCOUNT ACCUMULATION IN A SINGLE  
5 LUMP SUM; OR

6 (2) ROLL THE DROP ACCOUNT OVER INTO AN ELIGIBLE  
7 RETIREMENT PLAN AS DEFINED IN §402(C)(8)(B) OF THE INTERNAL REVENUE  
8 CODE.

9 (G) DROP ALLOWANCES CREDITED TO THE DROP ACCOUNT AND PAID  
10 ON ACTUAL RETIREMENT SHALL BE INCREASED FOR RETIREMENT SYSTEM COST  
11 OF LIVING ADJUSTMENTS.

12 (H) FOR THE PURPOSE OF CALCULATING THE MEMBER'S DROP AND  
13 RETIREMENT ALLOWANCES UNDER THIS SECTION, AVERAGE FINAL  
14 COMPENSATION SHALL BE BASED UPON THE MEMBER'S DROP SERVICE.

15 (I) IN ADDITION TO THE PROCEEDS OF THE DROP ACCOUNT, A MEMBER  
16 WHO RETIRES UNDER THE DROP PROGRAM WILL RECEIVE AN ANNUALIZED  
17 RETIREMENT ALLOWANCE, PAID MONTHLY, EQUAL TO THE MEMBER'S ANNUAL  
18 DROP ALLOWANCE, ADJUSTED AS PROVIDED FOR IN SUBSECTION (J) OF THIS  
19 SECTION.

20 (J) (1) THE RETIREMENT ALLOWANCES PROVIDED UNDER THIS  
21 SECTION SHALL BE EQUAL TO THE DROP ALLOWANCE, INCREASED FOR  
22 APPLICABLE RETIREMENT SYSTEM COST OF LIVING ~~ADJUSTMENT~~  
23 ADJUSTMENTS, AND SUBJECT TO REDUCTION BASED UPON THE OPTION  
24 SELECTED BY THE RETIRING MEMBER UNDER §5-1-231 OF THIS TITLE.

25 (2) THE REDUCTION UNDER §5-1-231 OF THIS TITLE SHALL BE  
26 BASED ON THE AGES OF THE MEMBER AND THE DESIGNATED BENEFICIARY, IF  
27 ANY, ON THE ACTUAL RETIREMENT DATE.

28  
29 SECTION 2. AND BE IT FURTHER ENACTED, that Sections 5-1-213, 5-1-214(a) and  
30 (c), ~~and 5-1-222~~ 5-1-222, AND 5-1-230(b) (as enacted in Bill 42-07) of Title 1. Employees

1 Retirement System, of Article 5. Pensions and Retirement, of the Baltimore County Code, 2003,  
2 as amended, are hereby repealed and reenacted, with amendments, to read as follows:

3 § 5-1-213. NORMAL RETIREMENT AGE; RETIREMENT FOR SERVICE--GENERALLY.

4 (A)(1) THIS PARAGRAPH APPLIES TO MEMBERS ON PAY SCHEDULE H OF  
5 THE CLASSIFICATION AND COMPENSATION PLAN WITHOUT REGARD TO WHEN  
6 THE MEMBER BEGAN SERVICE WITH THE COUNTY AND TO INDIVIDUALS WHO  
7 LEFT COUNTY SERVICE BEFORE JULY 1, 2007 AND WHO DID NOT DEMAND  
8 RETURN OF THEIR ACCUMULATED CONTRIBUTIONS. Commencing as of July 1, 1973,  
9 the normal service retirement age for a member in Group 3 shall be the age of sixty (60) or the  
10 age at which the member completes thirty (30) years of creditable service, whichever is earlier.  
11 A member may retire before attaining the member's normal service retirement age provided that,  
12 if the member is in Group 3, the member has attained age fifty-five (55) and completed twenty  
13 (20) or more years of creditable service.

14 (2) THIS PARAGRAPH APPLIES TO EXEMPT MEMBERS, PART-TIME  
15 MEMBERS, AND MEMBERS ON PAY SCHEDULES I, II, III, VI, XI, AND XII OF THE  
16 CLASSIFICATION AND COMPENSATION PLAN WHO BEGAN SERVICE BEFORE JULY  
17 1, 2007, PROVIDED THAT THE MEMBER JOINED THE SYSTEM NOT MORE THAN  
18 TWO YEARS AFTER THE MEMBER'S DATE OF EMPLOYMENT AS PROVIDED IN § 5-  
19 1-203 OF THIS SUBTITLE. COMMENCING AS OF JULY 1, 2007, THE NORMAL  
20 SERVICE RETIREMENT AGE FOR A MEMBER IN GROUP 3 SHALL BE THE AGE OF  
21 SIXTY (60) WITH FIVE (5) YEARS OF CREDITABLE SERVICE OR THE AGE AT WHICH  
22 THE MEMBER COMPLETES THIRTY (30) YEARS OF CREDITABLE SERVICE,  
23 WHICHEVER IS EARLIER. A MEMBER MAY RETIRE BEFORE ATTAINING THE  
24 MEMBER'S NORMAL SERVICE RETIREMENT AGE PROVIDED THAT, IF THE  
25 MEMBER IS IN GROUP 3, THE MEMBER HAS ATTAINED AGE FIFTY-FIVE (55) AND  
26 COMPLETED TWENTY (20) OR MORE YEARS OF CREDITABLE SERVICE.

27 ~~(B)(1) THIS SUBSECTION APPLIES TO MEMBERS ON PAY SCHEDULES I AND~~  
28 ~~III OF THE CLASSIFICATION AND COMPENSATION PLAN WHO BEGAN SERVICE~~  
29 ~~WITH THE COUNTY BEFORE JULY 1, 2007.~~

30 ~~(2) COMMENCING AS OF JULY 1, 2007 THE NORMAL SERVICE~~  
31 ~~RETIREMENT AGE FOR A MEMBER IN GROUP 3 SHALL BE THE AGE OF SIXTY-FIVE~~

1 ~~(65) AND COMPLETION OF NOT LESS THAN FIVE (5) YEARS CREDITABLE SERVICE~~  
2 ~~OR THE AGE AT WHICH THE MEMBER COMPLETES THIRTY (30) YEARS OF~~  
3 ~~CREDITABLE SERVICE, WHICHEVER IS EARLIER. A MEMBER MAY RETIRE BEFORE~~  
4 ~~ATTAINING THE MEMBER'S NORMAL SERVICE RETIREMENT AGE PROVIDED~~  
5 ~~THAT, IF THE MEMBER IS IN GROUP 3, THE MEMBER HAS ATTAINED AGE~~  
6 ~~FIFTY-FIVE (55) AND COMPLETED TWENTY (20) OR MORE YEARS OF CREDITABLE~~  
7 ~~SERVICE.~~

8 (C) A MEMBER WHO HAS REACHED AGE SIXTY (60) THROUGH SIXTY-FIVE  
9 (65) ON OR BEFORE JUNE 30, 2007 IS DEEMED TO HAVE REACHED NORMAL  
10 SERVICE RETIREMENT AGE IF THE MEMBER ALSO HAS COMPLETED FIVE (5)  
11 YEARS OR MORE OF CREDITABLE SERVICE.

12 § 5-1-214. ALLOWANCE FOR SERVICE RETIREMENT.

13 (a) (1) THIS PARAGRAPH APPLIES TO MEMBERS ON PAY SCHEDULE H  
14 ~~OF THE CLASSIFICATION AND COMPENSATION PLAN WITHOUT REGARD TO~~  
15 ~~WHEN THE MEMBER BEGAN SERVICE WITH THE COUNTY, TO MEMBERS WHOSE~~  
16 ~~NORMAL SERVICE RETIREMENT AGE IS PROVIDED FOR UNDER § 5-1-213(B) OR (C)~~  
17 ~~OF THIS SUBTITLE, AND TO INDIVIDUALS WHO LEFT COUNTY SERVICE BEFORE~~  
18 ~~JULY 1, 2007 AND WHO DID NOT DEMAND RETURN OF THEIR ACCUMULATED~~  
19 ~~CONTRIBUTIONS § 5-1-213(A)(1) OR (B) OF THIS SUBTITLE.~~ Commencing as of July 1,  
20 [1973,] 2007, upon retirement for service on or after the member's normal service retirement  
21 age, a Group 3 member who either was a member on December 31, 1960, and elected to make  
22 the increased contributions in accordance with § 5-1-253 of this subtitle or became a member on  
23 or after January 1, 1961, shall receive a service retirement allowance which shall consist of:

24 (i) An annuity which shall be the actuarial equivalent of the member's  
25 accumulated contributions at the time of retirement;

26 (ii) A pension which, together with the member's annuity, shall  
27 provide a total allowance equal to one-fifty-fifth (1/55) of the member's average final  
28 compensation multiplied by the number of years of the member's creditable service.

29 (2)(I) THIS PARAGRAPH APPLIES TO EXEMPT MEMBERS, PART-TIME  
30 MEMBERS, AND MEMBERS ON PAY SCHEDULES I, II, III, VI, XI, AND XII OF THE  
31 CLASSIFICATION AND COMPENSATION PLAN WHO BEGAN SERVICE BEFORE JULY  
32 1, 2007, PROVIDED THE MEMBER JOINED THE SYSTEM NOT MORE THAN TWO

1 YEARS AFTER THE MEMBER'S DATE OF EMPLOYMENT AS PROVIDED IN § 5-1-203  
2 OF THIS SUBTITLE. COMMENCING AS OF JULY 1, 2007, UPON RETIREMENT FOR  
3 SERVICE ON OR AFTER THE MEMBER'S NORMAL SERVICE RETIREMENT AGE, A  
4 GROUP 3 MEMBER SHALL RECEIVE A SERVICE RETIREMENT ALLOWANCE WHICH  
5 SHALL CONSIST OF AN ANNUITY WHICH SHALL BE THE ACTUARIAL  
6 EQUIVALENT OF THE MEMBER'S ACCUMULATED CONTRIBUTIONS AT THE TIME  
7 OF RETIREMENT AND A PENSION, WHICH SHALL BE CALCULATED AS PROVIDED  
8 PARAGRAPHS (3) AND (4) OF THIS SUBSECTION AND SUBPARAGRAPH (II) THIS  
9 PARAGRAPH.

10 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
11 RETIREE'S TOTAL ALLOWANCE SHALL BE EQUAL TO:

12 1. ONE FIFTY-FIFTH (1/55) OF THE MEMBER'S AVERAGE FINAL  
13 COMPENSATION MULTIPLIED BY THE NUMBER OF YEARS OF THE MEMBER'S  
14 CREDITABLE SERVICE EARNED BEFORE JULY 1, 2007; PLUS

15 2. EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS  
16 SUBSECTION, ONE-SEVENTIETH (1/70) OF THE MEMBER'S AVERAGE FINAL  
17 COMPENSATION MULTIPLIED BY THE NUMBER OF YEARS OF THE MEMBER'S  
18 CREDITABLE SERVICE EARNED ON OR AFTER JULY 1, 2007.

19 (3) IF THE MEMBER RETIRES AFTER ATTAINING AGE SIXTY-FIVE (65) OR  
20 AFTER 30 YEARS OF CREDITABLE SERVICE, THE MEMBER'S ALLOWANCE SHALL  
21 BE ONE FIFTY-FIFTH (1/55) OF THE MEMBER'S AVERAGE FINAL COMPENSATION  
22 MULTIPLIED BY THE NUMBER OF YEARS OF THE MEMBER'S CREDITABLE  
23 SERVICE.

24 (4) WITHOUT REGARD TO THE AGE OF RETIREMENT, YEARS OF  
25 CREDITABLE SERVICE ATTRIBUTABLE TO MILITARY SERVICE, TRANSFER  
26 SERVICE AND SICK LEAVE SHALL BE CALCULATED AT THE RATE OF ONE FIFTY-  
27 FIFTH (1/55) OF THE MEMBER'S AVERAGE FINAL COMPENSATION.

28 [(2)] (5) If, at retirement, said member has been an appointed department  
29 head for at least two (2) years, the member shall receive, in lieu of the service allowance set forth  
30 above, a service retirement allowance which shall consist of:

1 (i) An annuity which shall be the actuarial equivalent of the member's  
2 accumulated contributions at the time of retirement;

3 (ii) A pension which, together with the member's annuity, shall  
4 provide a total allowance equal to one-fortieth (1/40) of the member's average final  
5 compensation multiplied by the number of years of the member's creditable service.

6 (c) Upon retirement for service before the member's normal service retirement age, a  
7 member shall receive an allowance which shall be a service retirement allowance commencing  
8 on the date on which the member would have attained the member's normal service retirement  
9 age had the member remained in service to said age. Such allowance shall be based on the  
10 member's creditable service and average final compensation at date of retirement in accordance  
11 with applicable paragraph above. If the member so elects, the allowance may become payable to  
12 the member commencing prior to said normal service retirement age and shall in that case be  
13 computed as the service retirement allowance payable at said normal service retirement age  
14 reduced {by}BY:-

15 ~~(1) FOR A MEMBER WHOSE NORMAL SERVICE RETIREMENT AGE IS~~  
16 ~~DETERMINED UNDER § 5-1-213(A) OF THIS SUBTITLE,~~ five-twelfths (5/12) of one (1)  
17 percent for each month by which the member's retirement date precedes the date on which the  
18 member would have attained said normal service retirement age; ~~OR~~

19 ~~(2) FOR A MEMBER WHOSE NORMAL SERVICE RETIREMENT AGE IS~~  
20 ~~DETERMINED UNDER § 5-1-213(B) OF THIS SUBTITLE, FIVE-TWENTY-FOURTHS~~  
21 ~~(5/24) OF ONE (1) PERCENT FOR EACH MONTH BY WHICH THE MEMBER'S~~  
22 ~~RETIREMENT DATE PRECEDES THE DATE ON WHICH THE MEMBER WOULD HAVE~~  
23 ~~ATTAINED SAID NORMAL SERVICE RETIREMENT AGE.~~

24 § 5-1-222. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT.

25 Upon retirement for ordinary disability, a member shall receive an ordinary disability  
26 retirement allowance which shall consist of:

27 (1) An annuity which shall be the actuarial equivalent of the member's accumulated  
28 contributions at the time of retirement; and

29 (2) A pension which, together with the member's annuity, shall provide a total  
30 allowance equal to [one-sixtieth (1/60) of the member's average final compensation in the case

1 of a Group 3 member who was a member on December 31, 1960, and did not elect to make the  
2 increased contributions in accordance with § 5-1-253 of this title,] one fifty-fifth (1/55) of the  
3 member's average final compensation in the case of a Group 3 member who either was a  
4 member on December 31, 1960, and elected to make such increased contributions or became a  
5 member on or after January 1, 1961, PROVIDED THAT THE MEMBER JOINED THE  
6 SYSTEM NOT MORE THAN TWO YEARS AFTER THE MEMBER'S DATE OF  
7 EMPLOYMENT AS PROVIDED IN § 5-1-203 OF THIS SUBTITLE, EXCEPT THAT A  
8 GROUP 3 MEMBER WHOSE ALLOWANCE FOR SERVICE RETIREMENT IS  
9 CALCULATED UNDER § 5-1-214(A)(2) OF THIS SUBTITLE SHALL HAVE THE  
10 MEMBER'S ALLOWANCE UNDER THIS SECTION CALCULATED IN ACCORDANCE  
11 WITH § 5-1-214(A)(2) OF THIS SUBTITLE, and one-fortieth (1/40) of the member's average  
12 final compensation in the case of a Group 3 member who at retirement is an appointed  
13 department head and retires on or after July 1, 1971, multiplied by the number of years of the  
14 member's creditable service; and in the case of a Group 4 member, equal to one-fiftieth (1/50) of  
15 the member's average final compensation multiplied by the number of years of the member's  
16 creditable service not in excess of twenty-five (25) and one fifty-fifth (1/55) of the member's  
17 average final compensation multiplied by the number of years of the member's creditable service  
18 in excess of twenty-five (25). The minimum retirement allowance shall be equal to one-quarter  
19 (1/4) of the member's average final compensation, increased by one fifty-fifth (1/55) of the  
20 member's average final compensation in the case of a Group 3 member, for each year of  
21 creditable service in excess of five (5) years to a maximum of one-third of the member's average  
22 final compensation. In the case of a Group 4 member retiring on or after July 1, 1979, the  
23 minimum retirement allowance shall be equal to one-half (1/2) of the member's average final  
24 compensation. No ordinary disability retirement allowance payable to any member shall exceed  
25 the allowance which would otherwise be payable to the member were the member's service to  
26 continue until the attainment of the member's normal service retirement age.

27  
28 ~~SECTION 3. AND BE IT FURTHER ENACTED, that not later than June 18, 2007, the~~  
29 ~~exclusive representatives of members on Pay Schedules I and III of the Classification and~~  
30 ~~Compensation Plan may certify to the Labor Commissioner that the employees on those Pay~~  
31 ~~Schedules have determined, in accordance with their own rules of procedure, to amend the~~

1 ratified settlement agreement most recently executed between the county administration and the  
2 exclusive representative or county proposals, as applicable, to provide that the members will  
3 allow the county administration to apply the provisions of §§ 5-1-213(a) and 5-1-214(a)(2) of the  
4 Baltimore County Code, 2003 to those members instead of the agreements as currently provided  
5 and as enacted in §§ 5-1-213 and 5-1-214 of the Baltimore County Code, 2003 in Section 2 of  
6 this Act. If the Labor Commissioner receives the certification, the Labor Commissioner shall  
7 forward the certification to the County Attorney or the County Attorney's designee who shall  
8 instruct the publisher of the Baltimore County Code, 2003 to make changes to the above-named  
9 sections (and any other sections as necessary) in conformance with the decision of the members,  
10 with notes appropriate to be shown in the Code explaining the changes. It is the intention of this  
11 Section that the amendment suggested by this Section will not negatively effect the ability of a  
12 member to participate in the deferred retirement option program enacted in Section 1 of this Act.

13 ~~SECTION 4. AND BE IT FURTHER ENACTED, that not later than June 18, 2007, the~~  
14 ~~exclusive representative of members on Pay Schedule II of the Classification and Compensation~~  
15 ~~Plan may certify to the Labor Commissioner that the employees on that Pay Schedule have~~  
16 ~~determined, in accordance with their own rules of procedure, to accept the contract terms~~  
17 ~~recently offered by the county administration to the exclusive representative. If the Labor~~  
18 ~~Commissioner receives the certification, the Labor Commissioner shall forward the certification~~  
19 ~~to the County Attorney or the County Attorney's designee who shall instruct the publisher of the~~  
20 ~~Baltimore County Code, 2003 to make changes to §§ 5-1-213 and 5-1-214 of the Baltimore~~  
21 ~~County Code, 2003 (and any other sections as necessary, including authorizing such members to~~  
22 ~~participate in the deferred retirement option program enacted in Section 1 of this Act) in~~  
23 ~~conformance with the decision of the exclusive representative, with notes appropriate to be~~  
24 ~~shown in the Code explaining the changes.~~

25 § 5-1-230. RETURN OF ACCUMULATED CONTRIBUTIONS AND TERMINATION  
26 BENEFIT.

27 (b)(1) This subsection applies to a member who begins service on or after July 1,  
28 2007.

29 (2) Should a member cease to be an employee except by death or by retirement  
30 under the provision of this subtitle, the member shall be paid the amount of the member's  
31 accumulated contributions. Anything in this subtitle to the contrary notwithstanding, any current  
32 member who has completed ten (10) or more years of [membership] CREDITABLE service at  
33 the time the member's service is terminated or any member who has completed at least one (1)  
34 four-year term as the county executive may elect to receive, in lieu of the return of the member's  
35 accumulated contributions, a deferred retirement allowance to commence at the age of sixty-  
36 seven (67) if the member is a member in group 3 and at the age of sixty (60) if the member is a  
37 member in group 4, which shall consist of an annuity provided by the member's accumulated

1 contributions with interest to attainment of said commencement age and a pension equal to the  
2 pension computed in accordance with § 5-1-214 of this subtitle on the basis of the member's  
3 creditable service and average final compensation at the date the member's service is terminated.

4 SECTION 3. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
5 COUNTY, MARYLAND, that the "Baltimore County Classification and Compensation Plans,"  
6 adopted by Council Bill 27-76, as amended, be and they are hereby amended to read as follows:

7 A.

8 Pay Schedule II of Standard Salary Grades for classified employees under Section I of said  
9 Plans are hereby repealed and reenacted with amendments. Said Pay Schedule to read as follows:

**BALTIMORE COUNTY GOVERNMENT  
PAY SCHEDULE II  
STANDARD GRADES**

**American Federation of State, County and Municipal Employees  
Effective July 1, 2007**

<b>BASE HOURLY RATES</b>							<b>LONGEVITY HOURLY RATES</b>					
<b>(In Dollars)</b>							<b>(In Dollars)</b>					
<b>GRADE</b>	<b>MINIMUM</b>	<b>1ST STEP</b>	<b>2ND STEP</b>	<b>3RD STEP</b>	<b>4TH STEP</b>	<b>MAXIMUM</b>	<b>10 YEARS</b>	<b>15 YEARS</b>	<b>20 YEARS</b>	<b>25 YEARS</b>	<b>29 YEARS</b>	<b>34 YEARS</b>
H1	8.96	9.26	9.55	9.83	10.08	10.39	10.64	10.94	11.23	11.57	11.91	12.24
H2	9.26	9.55	9.83	10.08	10.39	10.64	10.94	11.23	11.57	11.91	12.24	12.68
H3	9.55	9.83	10.08	10.39	10.64	10.94	11.23	11.57	11.91	12.24	12.68	13.15
H4	9.83	10.08	10.39	10.64	10.94	11.23	11.57	11.91	12.24	12.68	13.15	13.70
H5	10.08	10.39	10.64	10.94	11.23	11.57	11.91	12.24	12.68	13.15	13.70	14.30
H6	10.39	10.64	10.94	11.23	11.57	11.91	12.24	12.68	13.15	13.70	14.30	14.97
H7	10.64	10.94	11.23	11.57	11.91	12.24	12.68	13.15	13.70	14.30	14.97	15.59
H8	10.94	11.23	11.57	11.91	12.24	12.68	13.15	13.70	14.30	14.97	15.59	16.28
H9	11.23	11.57	11.91	12.24	12.68	13.15	13.70	14.30	14.97	15.59	16.28	17.00
H10	11.57	11.91	12.24	12.68	13.15	13.70	14.30	14.97	15.59	16.28	17.00	17.82
H11	11.91	12.24	12.68	13.15	13.70	14.30	14.97	15.59	16.28	17.00	17.82	18.65
H12	12.24	12.68	13.15	13.70	14.30	14.97	15.59	16.28	17.00	17.82	18.65	19.50
H13	12.68	13.15	13.70	14.30	14.97	15.59	16.28	17.00	17.82	18.65	19.50	20.42
H14	13.15	13.70	14.30	14.97	15.59	16.28	17.00	17.82	18.65	19.50	20.42	21.49
H15	13.70	14.30	14.97	15.59	16.28	17.00	17.82	18.65	19.50	20.42	21.49	22.56
H16	14.30	14.97	15.59	16.28	17.00	17.82	18.65	19.50	20.42	21.49	22.56	23.65
H17	14.97	15.59	16.28	17.00	17.82	18.65	19.50	20.42	21.49	22.56	23.65	24.79
H18	15.59	16.28	17.00	17.82	18.65	19.50	20.42	21.49	22.56	23.65	24.79	26.01
H19	16.28	17.00	17.82	18.65	19.50	20.42	21.49	22.56	23.65	24.79	26.01	27.31
H20	17.00	17.82	18.65	19.50	20.42	21.49	22.56	23.65	24.79	26.01	27.31	28.68
H21	17.82	18.65	19.50	20.42	21.49	22.56	23.65	24.79	26.01	27.31	28.68	30.11
H22	18.65	19.50	20.42	21.49	22.56	23.65	24.79	26.01	27.31	28.68	30.11	31.61
H23	19.50	20.42	21.49	22.56	23.65	24.79	26.01	27.31	28.68	30.11	31.61	33.19
H24	20.42	21.49	22.56	23.65	24.79	26.01	27.31	28.68	30.11	31.61	33.19	34.84

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B.

The following specified job classifications, codes, and grades in Section II, Classification and Compensation Plans are hereby repealed and reenacted with amendments to read as follows:

<u>CODE</u>	<u>CLASS TITLE</u>	<u>CURRENT PAY GRADE</u>	<u>PROPOSED PAY GRADE</u>
<u>6.404</u>	<u>Animal Control Assistant</u>	<u>[H12]</u>	<u>H13</u>
<u>6.411</u>	<u>Animal Shelter Attendant I</u>	<u>[H15]</u>	<u>H16</u>
<u>6.412</u>	<u>Animal Shelter Attendant II</u>	<u>[H17]</u>	<u>H18</u>
<u>7.115</u>	<u>Custodial Worker I</u>	<u>[H10]</u>	<u>H11</u>
<u>7.116</u>	<u>Custodial Worker II</u>	<u>[H12]</u>	<u>H13</u>
<u>7.117</u>	<u>Custodial Worker III</u>	<u>[H14]</u>	<u>H15</u>
<u>7.125</u>	<u>Buildings Maintenance Mechanic I</u>	<u>[H14]</u>	<u>H15</u>
<u>7.126</u>	<u>Buildings Maintenance Mechanic II</u>	<u>[H18]</u>	<u>H19</u>
<u>8.201</u>	<u>Trades Helper (Options)</u>	<u>[H10]</u>	<u>H11</u>
<u>8.205</u>	<u>Painter</u>	<u>[H18]</u>	<u>H19</u>
<u>8.208</u>	<u>Carpenter I</u>	<u>[H14]</u>	<u>H15</u>
<u>8.209</u>	<u>Carpenter II</u>	<u>[H18]</u>	<u>H19</u>
<u>8.211</u>	<u>Electrician I</u>	<u>[H16]</u>	<u>H17</u>
<u>8.212</u>	<u>Electrician II</u>	<u>[H20]</u>	<u>H21</u>
<u>8.214</u>	<u>Plumber I</u>	<u>[H16]</u>	<u>H17</u>
<u>8.215</u>	<u>Plumber II</u>	<u>[H20]</u>	<u>H21</u>
<u>8.217</u>	<u>Heating and Air Conditioning Mechanic I</u>	<u>[H16]</u>	<u>H17</u>
<u>8.218</u>	<u>Heating and Air Conditioning Mechanic II</u>	<u>[H20]</u>	<u>H21</u>
<u>8.220</u>	<u>Masonry Mechanic</u>	<u>[H15]</u>	<u>H16</u>
<u>8.224</u>	<u>Locksmith</u>	<u>[H18]</u>	<u>H19</u>
<u>8.227</u>	<u>Heavy Equipment Maintenance Center Team Leader</u>	<u>[H21]</u>	<u>H22</u>
<u>8.228</u>	<u>Heavy Equipment Mechanic I</u>	<u>[H18]</u>	<u>H19</u>
<u>8.229</u>	<u>Heavy Equipment Mechanic II</u>	<u>[H20]</u>	<u>H21</u>

1	<u>8.234</u>	<u>Automotive Mechanic</u>	[H18]	H19
2	<u>8.235</u>	<u>Automotive Specialist</u>	[H20]	H21
3	<u>8.238</u>	<u>Automotive Team Leader</u>	[H21]	H22
4	<u>8.239</u>	<u>Laborer II</u>	[H12]	H13
5	<u>8.240</u>	<u>Public Works Technician I (Options)</u>	[H12]	
6		H13		
7	<u>8.241</u>	<u>Public Works Technician II (Options)</u>	[H15]	H16
8	<u>8.242</u>	<u>Public Works Technician III (Options)</u>	[H17]	H18
9	<u>8.243</u>	<u>Public Works Technician IV (Options)</u>	[H18]	H19
10	<u>8.244</u>	<u>Equipment Operator</u>	[H14]	H15
11	<u>8.245</u>	<u>Heavy Equipment Operator</u>	[H16]	H17
12	<u>8.246</u>	<u>Landfill Equipment Operator</u>	[H18]	H19
13	<u>8.247</u>	<u>Pipeline Maintenance Specialist</u>	[H16]	H17
14	<u>8.249</u>	<u>Welder Mechanic</u>	[H20]	H21
15	<u>8.259</u>	<u>Recreation and Parks Maintenance Specialist I</u>	[H12]	H13
16	<u>8.260</u>	<u>Recreation and Parks Maintenance Specialist II</u>	[H15]	H16
17	<u>8.261</u>	<u>CountyRide Driver I</u>	[H13]	H14
18	<u>8.262</u>	<u>CountyRide Driver II</u>	[H15]	H16
19	<u>8.265</u>	<u>Environmental Operations Specialist I</u>	[H12]	H13
20	<u>8.266</u>	<u>Environmental Operations Specialist II</u>	[H15]	H16
21	<u>8.267</u>	<u>Wireless Communications Technician</u>	[H23]	H24
22	<u>8.268</u>	<u>Electronic Mechanic</u>	[H17]	H18
23	<u>8.269</u>	<u>Communications Equipment Technician</u>	[H21]	H22
24	<u>8.276</u>	<u>Breathing Apparatus Technician</u>	[H20]	H21
25	<u>8.280</u>	<u>Treatment Plant Operator Trainee</u>	[H14]	H15
26	<u>8.281</u>	<u>Treatment Plant Operator I</u>	[H18]	H19
27	<u>8.282</u>	<u>Treatment Plant Operator II</u>	[H20]	H21
28	<u>8.283</u>	<u>Instrument Mechanic I</u>	[H16]	H17
29	<u>8.284</u>	<u>Instrument Mechanic II</u>	[H20]	H21
30	<u>8.286</u>	<u>Pumping Station Mechanic I</u>	[H15]	H16

1	<u>8.287</u>	<u>Pumping Station Mechanic II</u>	<u>[H17]</u>	
2		<u>H18</u>		
3	<u>8.288</u>	<u>Pumping Station Mechanic III</u>	<u>[H19]</u>	<u>H20</u>
4	<u>8.289</u>	<u>Pumping Station Electrician</u>	<u>[H21]</u>	<u>H22</u>
5	<u>8.292</u>	<u>High Tree Trimmer</u>	<u>[H18]</u>	<u>H19</u>
6	<u>8.310</u>	<u>Laborer I</u>	<u>[H10]</u>	<u>H11</u>
7	<u>8.312</u>	<u>Laborer II Trainee</u>	<u>[H10]</u>	<u>H11</u>
8	<u>8.315</u>	<u>Driver-Messenger</u>	<u>[H11]</u>	<u>H12</u>
9	<u>10.104</u>	<u>Correctional Custodial Worker</u>	<u>[H13]</u>	<u>H14</u>
10	<u>10.110</u>	<u>Correctional Heating and Air Conditioning Mechanic</u>	<u>[H21]</u>	<u>H22</u>
11	<u>10.111</u>	<u>Correctional Maintenance Mechanic I</u>	<u>[H15]</u>	<u>H16</u>
12	<u>10.112</u>	<u>Correctional Maintenance Mechanic II</u>	<u>[H19]</u>	<u>H20</u>
13	<u>10.313</u>	<u>Traffic Sign Fabricator</u>	<u>[H14]</u>	<u>H15</u>
14	<u>10.315</u>	<u>Traffic Sign Painter</u>	<u>[H19]</u>	<u>H20</u>
15	<u>10.346</u>	<u>Traffic Signal Maintenance Technician I</u>	<u>[H17]</u>	<u>H18</u>
16	<u>10.347</u>	<u>Traffic Signal Maintenance Technician II</u>	<u>[H19]</u>	<u>H20</u>
17	<u>10.390</u>	<u>Traffic Sign and Marking Associate</u>	<u>[H12]</u>	<u>H13</u>
18	<u>10.391</u>	<u>Traffic Sign and Marking Mechanic</u>	<u>[H17]</u>	<u>H18</u>
19	<u>10.392</u>	<u>Traffic Signal Construction Associate</u>	<u>[H12]</u>	<u>H13</u>
20	<u>10.393</u>	<u>Traffic Signal Construction Mechanic</u>	<u>[H17]</u>	<u>H18</u>

21           SECTION 4. BE IT FURTHER ENACTED, that Regulation 10.01A of the  
22 Compensation Rules and Regulations, “Baltimore County Classification and Compensation  
23 Plans,” Section IV is hereby repealed and reenacted, with amendments to read as follows:

24 Regulation 10.01 A. Overtime Administration

25           In emergencies, a Department Head may prescribe reasonable periods of overtime work to  
26 meet operational needs. Such overtime shall be reported and justified as required by the  
27 County Administrative Officer.

1           Should a legal holiday as prescribed by law in Rule 25, Regulation 25.01 of the Personnel  
2           Rules and Regulations, a vacation day, a personal leave day, a paid sick leave day, time  
3           granted for death in the family or a non-workday officially declared by the County  
4           Administration, fall within the regular workweek, such time off shall be considered a  
5           workday        in computing overtime; provided further that, for those employees on Pay [Schedule]  
6           SCHEDULES I AND II, compensatory leave, jury duty and military leave shall be  
7           considered     as a workday in computing overtime; provided further that, [for those employees on  
8           Pay    Schedule II, compensatory leave, and military leave shall be considered as a workday in  
9           computing overtime; provided further that,] for those employees on Pay Schedule VI,  
10          compensatory leave shall be considered as a workday in computing overtime.

11           SECTION 5. AND BE IT FURTHER ENACTED, that this Act, having been passed by the  
12          affirmative vote of five (5) members of the County Council, shall take effect July 1, 2007.