

PERTAINING TO THE AMENDMENT OF CHAPTER 86 OF THE CODE OF CALVERT COUNTY.

WHEREAS, Section 12-103(c) of the *Local Government Article* of the Maryland Annotated Code, as amended, authorizes and empowers the Board of County Commissioners of Calvert County, Maryland (hereinafter, the "Board of County Commissioners") to establish a merit system in connection with the appointment of all county officials and employees not elected or appointed under the Constitution or public general laws of the State;

WHEREAS, by Ordinance 42-09, the Board of County Commissioners did adopt such a merit system, which is codified at Title 86 of the Code of Public Local Laws of Calvert County, Maryland, being Title 86 of *Article 5* of the Code of Public Laws of Maryland (hereinafter, the "Code"), the Annual Budget and Appropriation Act each year;

WHEREAS, the Office of Personnel has recommended that the Board of County Commissioners adopt certain amendments to Chapter 86 of the Code, more specifically set forth below;

WHEREAS, a public hearing regarding the certain amendment of Chapter 86 of the Code was duly advertised for two consecutive weeks before the public hearing held on October 8, 2013, at which time the Board of County Commissioners received public comment;

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of County Commissioners finds it is in the best interest of the public health, safety and welfare of the citizens of Calvert County, Maryland to adopt certain amendments to Chapter 86 of the Code set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Calvert County, Maryland hereby approves and enacts the following amendment to Chapter 86 of the Code:

1. Section 86-3-106 of the Code shall be amended, effective upon the date of adoption of this Ordinance, by repealing section 86-3-106 of the Code in its entirety and adopting in its place the following:

§ 86-3-106. Shift differential pay.

Shift differential is paid to those eligible employees working qualifying shifts as set forth below:

- A. Eligible employees are employees that receive and dispatch emergency and non-emergency calls from the public regarding public safety and law

enforcement issues and sworn members of the Sheriff's Office and the Detention Center.

- B. Qualifying shifts are shifts that begin before 6:00 a.m. or after 9:00 a.m.
- C. Shift differential will be paid for hours worked between 4:00 p.m. and 8:00 a.m. by an eligible employee working a qualifying shift.
- D. Shift differential is not paid for hours on paid or unpaid leave.
- E. The shift differential rate is established in each approved annual budget for the County.
- F. The Director of Personnel and the Director of Finance and Budget or their designee must review all requested shifts to ensure compliance with policy.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that Chapter 86 of the Code, as amended hereby, shall remain in full force and effect.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that, in the event any portion of this Ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the Ordinance, or unless deletion of the valid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this Ordinance.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that the foregoing recitals are hereby incorporated and adopted as if fully set forth.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland that this Ordinance shall be adopted and effective March 27, 2013.

DONE, this 8th day of October, 2013, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: 5


Nay: Ø

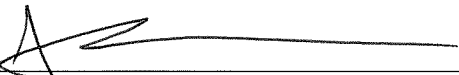
Absent/Abstain: Ø

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**


Maureen Frederick, Clerk


Pat Nutter, President

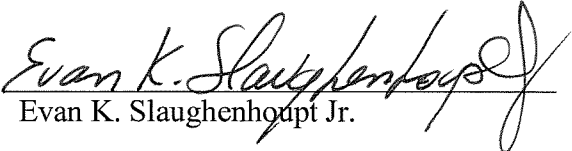

Steven R. Weems, Vice-President


Gerald W. Clark

Approved for legal sufficiency on
September 27, 2013 by:


Susan Shaw


John B. Norris, III, County Attorney


Evan K. Slaughenhoupt Jr.

Received for Record October 9 2013
at 10:30 o'clock A M. Same day
recorded in Liber KPS No. 43
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ORDINANCES AND RESOLUTION.

