

State of Maryland Judiciary

Administrative Order Pertaining to an Administrative Leave Plan For Judicial Branch Employees in Fiscal Year 2015

Frequently Asked Questions and Administrative Procedures

As in recent years, the Judicial Branch, once again, deems it appropriate to award eligible employees administrative leave through a combination of Service Reduction Days and paid administrative leave, pursuant to the above referenced Administrative Order. Below are a few frequently asked questions and administrative procedures pertaining to the Order and the Administrative Leave Plan. If there is an inconsistency between the Order and these FAQs, the Order will prevail.

1. Is it necessary for me to read Chief Judge Barbera's Administrative Order Pertaining to an Administrative Leave Plan For Judicial Branch Employees in Fiscal Year 2015?

Yes, the Administrative Order should be read first. If you have any questions after reading the Order, these FAQs are intended to answer those questions.

2. Is this Administrative Leave Plan different from that in the Administrative Order Pertaining to an Administrative Leave and Bonus Plan for Judicial Branch Employees in Fiscal Years 2012, 2013 and 2014?

Yes. There are a number of differences.

- A. The term "covered employee" is defined differently in this Plan. This may impact the amount of paid administrative leave for which you will be eligible.
- B. There is no bonus plan for Fiscal Year 2015.
- C. The Service Reduction Days will occur on the days **after** the Christmas and New Year's holidays in Fiscal Year 2015, as opposed to the days before those holidays.
- D. The administrative leave offered by this Plan will be prorated for newly hired covered employees entering State service with the Judicial Branch, depending on the date they begin employment. Administrative leave for covered part-time employees will be prorated based on their percentage of employment.

3. What are the beginning and ending dates for Fiscal Year 2015?

The Fiscal Year begins on July 1, 2014 and ends on June 30, 2015.

4. What is a Service Reduction Day?

A Service Reduction Day is a day in which the Judicial Branch reduces routine operations, which will occur on December 26, 2014 and January 2, 2015.

The Service Reduction Days do not affect 24/7 operations. Employees of 24/7 operations who are scheduled to work on a Service Reduction Day shall report to their respective assignments. Other covered employees, as well as State-funded temporary and contractual employees, employed when the two (2) Service Reduction Days occur will receive paid administrative leave for those days.

5. Who is a “covered” employee?

“Covered Employees” are defined in the Order as State-funded Judicial Branch employees, in regular positions, including employees in 24/7 operations, and masters, who are paid by the Central Payroll Bureau of the State Comptroller. This does **not** include State-funded temporary and contractual employees.

6. Who is a “24/7” employee?

“24/7 Employees” are defined in the Order as employees who work on a shift schedule providing services as part of a 24/7 operation.

7. What constitutes a “day” of paid administrative leave?

A “day” equals eight (8) hours.

8. How much paid administrative leave is provided by this Plan and who is eligible for it?

The Plan provides for up to five (5) paid administrative leave days, which is a combination of paid administrative leave for the Service Reduction Days and/or other paid administrative leave to be used at a later date.

- A. Covered employees (except 24/7 employees) and State-funded temporary and contractual employees employed when the two (2) Service Reduction Days occur shall receive paid administrative leave for those days.
- B. In addition to the Service Reduction Days, a covered employee (except 24/7 employees) shall receive three (3) days of paid administrative leave, which may be used with prior supervisory approval, at any time prior to the employee’s separation from employment with the Judiciary. State-funded contractual and temporary employees and law clerks, however, will not receive these additional days of paid administrative leave, nor will judges or elected Clerks of the Circuit Courts.

- C. Covered 24/7 employees will receive five (5) days of paid administrative leave to be used, with prior supervisory approval, at any time prior to separation from employment.
- D. The administrative leave referenced in paragraphs B and C will be prorated for newly hired covered employees, depending on the first day of employment.
- E. The administrative leave referenced in paragraphs B and C will be prorated for part-time covered employees, depending on the percentage of their employment.

9. Are District Court Problem-Solving Court (PSC) employees who are supported by Judiciary grants and paid by the Central Payroll Bureau eligible to receive the paid administrative leave?

Those employees employed when the two (2) Service Reduction Days occur will receive paid administrative leave for those days. However, employees in the PSC who are State-funded temporary or contractual employees will not receive the additional days of paid administrative leave.

10. When are the additional days of paid administrative leave available to employees?

The leave is available on July 1, 2014. An employee must have prior supervisory approval to use the leave, however.

11. Do I have to use the paid administrative leave prior to the end of Fiscal Year 2015?

No. An employee may carry-over unused leave from one fiscal year to the next. The leave **must** be used prior to the employee's separation from employment with the Judiciary, otherwise, the employee will lose the leave.

12. How is the paid administrative leave prorated for newly hired covered Judiciary employees?

For non-24/7 employees, the leave is prorated as follows:

- An employee beginning employment between July 1, 2014 and October 31, 2014 will receive three (3) days;
- An employee beginning employment between November 1, 2014 and February 28, 2015 will receive two (2) days;
- An employee beginning between March 1, 2015 and May 31, 2015 will receive one (1) day;
- An employee beginning employment in June 2015 is not eligible for the additional

administrative leave.

For 24/7 employees, the leave is prorated as follows:

- An employee beginning employment between July 1, 2014 and August 31, 2014 will receive five (5) days;
- An employee beginning employment between September 1, 2014 and October 31, 2014 will receive four (4) days;
- An employee beginning employment between November 1, 2014 and December 31, 2014 will receive three (3) days;
- An employee beginning employment between January 1, 2015 and February 28, 2015 will receive two (2) days;
- An employee beginning employment between March 1, 2015 and May 31, 2015 will receive one (1) day;
- An employee beginning employment in June 2015 is not eligible for the additional administrative leave.

12. How is the paid administrative leave prorated for covered part-time employees?

In addition to the proration described in Question Number 11, the administrative leave for part-time employees is prorated based on the percentage of employment. For example: a non-24/7 part-time employee who begins employment in July 2014 and works 30 hours per week (75% of a full-time schedule) will receive 18 hours of administrative leave; if that employee works 20 hours per week (50% of a full-time schedule), then he or she will receive 12 hours of administrative leave.

13. How is an employee who works an AWS affected by a Service Reduction Day?

An employee who would be scheduled to work more than eight (8) hours on a Service Reduction Day if the office otherwise were open will be expected to make up the difference between eight (8) hours and the number of hours the employee normally works on that day. The employee may use annual, personal, compensatory or accrued administrative leave to make up that difference, if such leave is available to the employee.

An employee who would be scheduled to work less than eight (8) hours on a Service Reduction Day if the office otherwise were open will only receive an amount of paid administrative leave equal to the normally scheduled hours of work.

To avoid full-time employees receiving 48 hours of pay for a 40 hour work week, an employee on an AWS who normally would not be scheduled to work on a Service

Reduction Day if the office otherwise were open will not receive paid administrative leave for that day. However, to allow an employee to receive paid administrative leave, the supervisor may temporarily revise an employee's AWS so that the employee is scheduled to work on the Service Reduction Day or allow the employee to work a typical five (5) day/eight (8) hour day schedule for the affected pay period of December 24, 2014 through January 6, 2015.

14. What if an employee other than a 24/7 employee is required to work on a Service Reduction Day?

If an employee is called to work on a Service Reduction Day, the employee will be paid for the amount of time worked, and will be granted an amount of administrative leave equal to the amount of time worked, to be used at a later date, with supervisory approval. This does not apply to 24/7 employees.

15. If I begin work for the Judiciary after the Service Reduction Days have passed, will I receive paid administrative leave for those days to be used at a later date?

No. An employee must be employed with the Judiciary when the Service Reduction Days occur to receive administrative leave for those days.

16. How will I code the paid administrative leave?

An employee, except for a 24/7 employee, will use code 50 for a Service Reduction Day. Employees will use code 58 for the other paid administrative leave days provided by this plan.

Employees of 24/7 operations will use code 58 for all five (5) days of paid administrative leave provided by this Plan.

17. How will I track the use of the paid administrative leave provided by this Plan?

The Judiciary's leave accounting system will track the use of the leave.

18. What do I do if I have other questions?

If you have other questions, please contact the Judiciary Human Resources Department, Office of Employee Relations, at 410-260-1280, or you may submit your questions, via email, to AskHR.