

1.438 COMPENSATION & BENEFITS

- A. The Consolidated USM and UM Policies and Procedures Manual delineates the specifics of the compensation, benefits, and conditions of work system for agency employees.
- B. Agency directives relating to compensation, benefits, and conditions of work serve to complement and expand upon related USM and UM directives. Agency directives related to these topics are subject to change or interpretation without notice because they devolve from regulations established outside the agency.
- C. Per 41 CFR 60-1.35(c): The contractor will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

1.438.02 Job Classification Plan

- A. USM Office of Human Resources has established a written job classification plan that includes, but is not limited to:
 - 1. Categorization of all agency jobs by class on the basis of similarities in duties, responsibilities, and qualification requirements;
 - 2. Class specifications for every job within a class;
 - 3. Provisions for relating compensation to classes; and
 - 4. Provisions for reclassification.
- B. The Office of the Chief is responsible for working with the USM Office of Human Resources and the UM University Human Resources in order to provide information and assistance in the development and maintenance of class specifications.
- C. The Office of the Chief is responsible for ensuring current job descriptions covering all agency employee classifications, but unavailable through the USM or UM web sites, are maintained on file with the agency and are available for inspection during normal business hours.
- D. A documented review of all job descriptions will occur minimally every four years to ensure all job descriptions are current and available to all personnel.

1.438.04 Salary Program

- A. USM and UM directives define and describe the salary program for all employment classifications.
- B. The salary program contains provisions that include, but are not limited to:
 - 1. Entry-level salaries;
 - 2. Salary differentials within grades; if any;
 - 3. Salary differentials between grades;
 - 4. Salary levels for those with special skills; if any
 - 5. Compensatory time policies;
 - 6. Overtime policies; and
 - 7. Provisions for salary augmentation.

1.438.06 Benefit Program

- A. The University of Maryland provides a comprehensive benefit program to agency employees that is governed and defined by various statutes and USM and/or University of Maryland directives.
- B. The benefit program includes, but is not limited to:
 - 1. Health insurance;

- 2. Prescription drug plan;
- 3. Vision plan;
- 4. Dental plan;
- 5. Flexible spending accounts for health care and dependent care;
- 6. Life insurance coverage;
- 7. Personal accident and dismemberment insurance;
- 8. Long term disability coverage;
- 9. Retirement and deferred compensation programs; and
- 10. Tuition remission.
- C. Agency directives contained in **1.448 Leave and Duty Status** expand upon UM and USM leave directives.
- D. The Staff Benefits Office of University Human Resources has information that details all benefit program components.

1.438.08 Faculty Staff Assistance Program

- A. Consistent with the Consolidated USMH & UM Policies and Procedures Manual VII-6.00(A), the Faculty Staff Assistance Program (FSAP) is established as a component of the UM Health Center.
- B. The FSAP is a free, confidential and professional assessment, referral and counseling service available to all university employees. Employees may consult with professional counselors for a variety of reasons that include, but are not limited to:
 - 1. Marital or family difficulties;
 - 2. Depression;
 - 3. Anxiety;
 - 4. Dependence on alcohol or other substances or working / living with someone who is chemically dependent;
 - 5. Job stress;
 - 6. Financial, legal, or medical problems; and
 - 7. Problems of family members, co-workers, or colleagues that affect employees' lives or jobs.
- C. Employees may be referred to the FSAP program by their supervisors for mandatory or non-mandatory participation for:
 - 1. Employee counseling;
 - 2. Formal counseling or corrective actions as appropriate;
 - 3. Formal monitoring;
 - 4. Mandatory remedial or additional training designed to improve employee skills; and
 - 5. Corrective action as a result of **2.431 Impartial Policing**;
- D. The FSAP makes referrals to other services as warranted and follows up with employees to assure successful referrals were made.
- E. The FSAP staff is available to:
 - 1. Meet with individual faculty and staff about their personal concerns;
 - 2. Consult with supervisors and department heads regarding concerns over one of their employees; and/or
 - 3. Consult with groups to enhance working relationships and to assist with the overall development of the working group;
 - 4. Deliver orientations to staff and faculty groups to explain the availability of services through the FSAP or to address a variety of issues; and
 - 5. Offer low-cost loans and other financial aid to employees.
- F. All employees are encouraged to directly contact the FSAP staff for detailed program information and/or assistance.

1.438.09 Deaths & Critical Injuries of Employees

- A. The chief is responsible for ensuring that the agency provides all reasonable and prudent liaison and support services, consistent with family wishes, to the immediate families of active agency employees who die or sustain life threatening injuries either on-duty or off-duty.
- B. Notifications will be made consistent with **2.442.20 Next of Kin**

Notifications (Departmental).

- C. As necessary and proper, the chief will assign officers to serve as liaisons with, and provide assistance to, immediate family members of active employees who die or sustain critical injuries either on-duty or off-duty.
 - 1. Liaison officers are to serve as facilitators of information and services between the agency and family members.
 - 2. Liaison officers will be issued general use pagers for a time period determined by the chief.
 - 3. Liaison services will be supplied as necessary and proper:
 - a. At hospitals;
 - b. During the planning and conduct of wakes and funerals; and
 - c. For time periods as designated by the chief following funerals or when injured employees have recovered to the point they are no longer in critical condition.
- D. The Office of the Chief is responsible for:
 - 1. Coordinating any and all appropriate benefits due injured or deceased employees and their families;
 - 2. Ensuring applicable services are made available through the FSAP; and
 - 3. Ensuring long-term contact is maintained with families in order to keep informed of needs that may be facilitated or addressed through resources available to the agency.
- E. The agency's victim / witness coordinator is responsible for coordinating and facilitating any necessary and appropriate victim / witness services for employees and their families if injuries or deaths resulted from criminal acts.
- F. Funeral planning and details will be conducted consistent with **1.410**.

1.438.10 Liability Protection

- A. Agency employees receive general liability and indemnification protections afforded all state employees consistent with the SG 12, Subtitle 3.
- B. ET 13-710 provides certain liability protections for all persons, including law enforcement officers, for their good faith actions involving adult protective services.
- C. CJ 5-610 provides certain liability protections for law enforcement officers assisting victims of spousal assault.
- D. CJ 5-603 provides certain liability protections for law enforcement officers providing emergency medical care.
- E. CJ 5-605 provides certain liability protections for law enforcement officers acting outside their jurisdictions.
- F. Officers acting under limited extra jurisdictional authority of CP 2-102 are provided with certain immunities from liability and exemptions.

1.438.12 Physical Examinations

- A. Preemployment medical examinations are provided at no cost to applicants for full-time positions with the agency once conditional offers of employment have been made.
- B. Fitness for duty medical examinations conducted specifically at the request or order of the agency are provided at no cost to agency employees.
- C. All medical examinations required of employees by the agency, university, or the state are provided at no cost to those employees.

1.438.14 General Health & Physical Fitness

- A. All employees are required to maintain a level of fitness and general health which will permit them to carry out their duties.
 - 1. Applicants for sworn positions must be certified to be physically, mentally, and emotionally fit for the duties of a police officer by licensed physicians in accordance with MPTC general regulations.

- 2. Fitness for duty examinations for sworn employees utilize the same standards for physical, mental, and emotional fitness as that required for applicants for sworn positions.
- 3. The Occupational Health Unit of the Health Center, in consultation with the chief or specific designee, establishes specific fitness for duty criteria that are job related and non-discriminatory.
- B. Unit commanders are responsible for monitoring employee's work and attendance records for signs that may be indicative of health problems and reporting same to their bureau commanders through the chain of command.
- C. Agency employees are encouraged to have periodic physical examinations consistent with their health care benefits and to utilize health, recreation, and wellness programs available to them through the university.

1.438.15 Fitness Standards and Fitness Indicator Test (FIT)

- A. Officers shall participate annually in a mandatory fitness program.
- B. The Fitness Indicator Test shall be administered in accordance with the procedures outlined in the FOP#23 Bargaining Contract.
- C. Officers who pass the FIT test with a minimum score of three (3) or above, shall receive an annual incentive bonus.
- D. Upon notice to the University from an Officer at the time that the test is given, who is unable to participate due to a medical condition, will be rescheduled for an alternative date.
- D. The results of the FIT test shall not be used as the basis for disciplinary action against any Officer.

1.438.18 On-Call Status

- A. Only the chief has the authority and responsibility to designate, on a rotating basis, those individuals deemed eligible for on-call status.
- B. Employees assigned to on-call status must maintain a means of immediate contact with the agency, either by providing phone numbers where they may be reached or by carrying assigned pagers/cellular phones.
- C. Employees will not be assigned to on-call status for a period of more than seven consecutive calendar days.
- D. On-call employees will maintain the same fitness and readiness for duty that on-duty personnel must maintain.
- E. On-call employees will be paid according to the published on-call rate in addition to any pay due for hours worked when called in. On-call pay must be included in the computation of overtime pay.
- F. Otherwise, eligible employees will not receive on-call compensation if the performance of duties is an extension of employees' regular work day or work week.
- G. On-call employees must be able to respond to the university within two hours of being ordered or needed to do so.
- H. The chief will provide to communications, when applicable, schedules of on-call personnel and means to contact them.
- I. Supervisory or administrative personnel will notify communications when needs arise for on-call employees to be contacted.
- J. In order to contact on-call employees, communications personnel will:
 - 1. Contact on-call employees by telephone; and
 - 2. Relay all pertinent information so they may determine whether they need to respond to the university.
- K. Failure of on-call personnel to respond as required will be investigated consistent with **2.900 Complaints and Discipline** as possible violations of **1.928 Reporting for Duty** and/or any other applicable directives.
- L. On-call employees may not consume alcoholic beverages while in the on-call status.

1.438.20 First-Call Status

- A. Unit commanders have authority to designate those individuals who, in event of emergencies or because of their expertise or specific knowledge, may be contacted on a first-call status.
- B. Employees assigned to first-call status may, but are not required to, maintain means of immediate contact with the agency, either by providing a phone number where they may be reached or by carrying assigned or personal pagers.
- C. First-call employees are not required to maintain the same fitness and readiness for duty that on-duty personnel must maintain.
- D. Unit commanders will, as applicable, provide to communications listings of first-call personnel.
 1. Units with more than one first-call employee will provide a schedule so that no more than one employee per unit will be in a first-call status at a time.
 2. First-call schedules will be provided to all first-call employees and communications.
- E. Supervisory or administrative personnel will notify communications when needs arise for first-call employees to be contacted.
- F. In order to contact first-call employees, communications personnel will:
 1. Either page first-call employees, entering phone numbers the first-call employees are to call or call by phone first-call employees; and
 2. Relay all pertinent information so they may determine whether they need to respond to the university.

1.438.22 Call-Back Compensation

- A. Employees who are called back to work will be paid for a minimum of three hours additional work time even if the time spent on duty is less than three hours.
 1. This applies only to employees who are called back after having gone off-duty or are on an off-duty status and are required to respond to the university or any other location in order to perform a work-related task.
 2. This does not apply to employees who may be working overtime or compensatory time as a continuation of their normal hourly schedule.
 3. The rate of compensation for employees in a call-back situation will be consistent with their FLSA status.
- B. Employees in a call-back status will receive compensation from the time they are notified that they are needed until the time they are no longer needed. Travel time to the university or any other location in order to perform a work-related task is compensated and counts toward the three-hour minimum call-back time.

1.438.24 Shift Differential

- A. Shift differential is paid to employees who work shifts starting between 1400 hours and before 0200 hours.
- B. Employees who work on all or part of shifts beginning between 1400 hours and before 0200 hours, whether or not they are assigned to that shift, are to receive the full or *pro rata* differential provided for their pay scale.
- C. Employees who fail to work shifts, even though regularly assigned to it, by reason of leave without pay, are not eligible for shift differential.
- D. Shift differential is authorized for employees who are permanently assigned to qualifying shifts while on approved leave with pay. However, payment of shift differential will cease after 5 (five) working days of continuous paid leave for which there had been a shift differential payment.
- E. Shift differential is to be paid to eligible employees who are scheduled to work overtime from qualifying shifts into other qualifying shifts. This payment is in addition to any overtime payment or compensatory time to which employees may be entitled.

1.438.26 Acting Capacity

- A. Only the chief has the authority to designate persons to serve in acting capacities. Only under unusual circumstances will acting capacities be utilized.
- B. This policy applies to exempt and non-exempt civilian employees. Non-exempt sworn employees designated as Acting Sergeants under **1.435 Acting Sergeant** are subject to the guidelines and restrictions of that policy.
- C. Designating employees to work in acting capacities can normally be justified only when incumbents in higher classifications are temporarily absent.
- D. Employees may be designated to work in acting capacities for periods of less than 30 continuous days without being compensated at higher salary grades. Employees who are in acting capacities beyond 30 days will be compensated at the amount they would receive if they had been promoted on a permanent basis.
- E. Employees serving in acting capacities will not be promoted on a permanent basis without participating in the promotional process for the vacant positions.
- F. Only employees who meet or exceed minimum job qualifications for those higher classifications are eligible to perform in acting capacities.
- G. Employees in acting capacities will use and wear insignia of their permanent ranks and not that of acting ranks. They will also continue to be referred to by their permanent ranks.

1.438.27 Drug Recognition Expert Pay

- A. Drug Recognition Expert Pay Differential is paid to FOP Bargaining Unit employees who successfully complete and maintain the standard certification as a Drug Recognition Expert.
- B. This differential is paid annually consistent with the FOP #23 Memorandum of Understanding.

1.438.28 Translator Pay

- A. Translator Pay Differential is paid to FOP Bargaining Unit employees who obtain language certification as a translator.
- B. This differential is paid annually to FOP Bargaining Unit employees who successfully obtain language certification(s). Only one differential is paid annually even if the officer has several language certifications.
- C. FOP Bargaining Unit employees must pay all costs associated with obtaining the initial language certification and costs of any renewal examination processes. Employees will be reimbursed for the cost of each language certification upon successful completion of the language certification process as long as they provide proof, certification and the receipt for costs paid to the Fiscal Services Unit.
- D. Language certification tests should measure an officer's professional proficiency (conversational, reading and writing skills, and related abilities) in selected languages other than English.
- E. Failure to pass a qualifying language certification examination, complete a renewal requirement, or otherwise not receive certification shall not be subject to any disciplinary action, grievance, and/or arbitration process.
- F. This differential is paid annually consistent with the FOP #23 Memorandum of Understanding.
- G. Approved language certification testing sites include:
 1. Language Testing International; or
 2. any other foreign language testing certification vendor as approved by the Office of the Chief.

1.438.31 Holiday Pay

- A. Holiday Pay Differential is paid to FOP Bargaining unit employees who work regular shifts starting between 0001 hours and 2359 hours on Thanksgiving Day, Christmas Day (December 25th), and

New Year's Day (January 1st).

- B. FOP Bargaining unit employees who fail to work shifts, even though regularly assigned to it, are not eligible for the Holiday Pay Differential.
- C. FOP Bargaining unit employees shall receive 1 ½ times pay for all hours worked on either day in lieu of straight pay.

1.438.32 Overtime

- A. The agency may require employees to work overtime.
 - 1. Overtime assignments will be approved by supervisory or administrative personnel and limited to situations that are determined to be:
 - a. Unusual;
 - b. Essential; or
 - c. Emergencies.
 - 2. Scheduled overtime events are essential events requiring planned, scheduled assignment of employees in overtime capacities, e.g., athletic events, court dates, mixers, etc.
 - 3. Non-Scheduled overtime events may be unusual, essential, or emergency situations that could not be planned or scheduled and require assignment of employees, e.g., arrest processing, crime scene processing by investigators, reports, minimum staffing requirements, etc.
- B. Agency employees assigning overtime assignments are responsible for ensuring:
 - 1. As far as practicable, overtime is distributed fairly;
 - 2. Employees assigned overtime are notified in a timely manner;
 - 3. Excepting emergency situations, employees have eight hours off in 24-hour periods; and
 - 4. Overtime assignments do not interfere with employees' abilities to properly perform their jobs.
- C. The agency will compensate employees with either cash payments or compensatory leave time in lieu of cash payments consistent with employee's FLSA classifications.
- D. Overtime is calculated in quarter hour increments with employees working into a quarter hour increment being entitled to that quarter hour of compensation.
- E. Off-duty officers will be compensated in accordance with their FLSA classifications when exercising limited extra jurisdictional authority consistent with **2.424 Extrajurisdictional Authority Implementation** and **2.426 Extrajurisdictional Authority Operations**.
- F. Building Security Employees are responsible for following the procedures listed below for requesting overtime assignments within the unit:
 - 1. Send an email to the Duty Calendar requesting approval with the date, times and work order number for the overtime no later than 1530 hours the day of or by 1530 hours on Friday for weekend shifts;
 - 2. Approvals will only be for the date, times and work order numbers requested unless notified for an emergency work order request by Communications;
 - 3. Once approved, you must follow regular work day conditions and procedures for calling in sick consistent with **1.448.34 Employee's Responsibility – Sick Leave**.
 - 4. Employees will not work unauthorized overtime. Overtime must be approved in advance.
 - 5. Employees must carry their radio, actively monitor and answer any calls during working hours.

1.438.36 Compensatory Time

- A. The agency may offer, and employees may voluntarily accept, compensatory time in lieu of cash payments for overtime based on FLSA classifications for their individual job classifications.
- B. Employees will use compensatory time within the same year that

it is earned. Any compensatory time left at the end of the calendar year in which it was earned will be paid in full consistent with the **USM Policy VII-6.10 Policy on Work Schedules for Regular Non-exempt and Exempt Staff Employees** unless an existing MOU states otherwise.

- C. The agency may elect to pay out employee's accumulated compensatory leave based on conditions of the FOP#23 MOU, AF-SCME Non-Exempt MOU, or USM policy.
- D. A maximum of 240 hours of compensatory time may be accrued. Any overtime worked beyond this amount must be compensated as paid overtime.

1.438.37 Field Training Officer (FTO) Pay

- A. Officers serving as primary Field Training Officers will be compensated during those hours worked actually performing FTO duties.
- B. All FTO hours must be documented on timecards.
- C. Field Training Officers will be paid according to the FOP Bargaining Unit Memorandum of Understanding rate for hours worked when serving as a primary FTO.

1.438.38 Overtime/Comp Time Documentation & Review

- A. All overtime hours, be they compensated with cash or compensatory time, must be documented on approved agency forms or records.
 - 1. Overtime records will be initiated at the beginning of all scheduled or assigned overtime events and completed at event conclusion.
 - 2. Overtime records will be initiated and completed at the conclusion of non-scheduled overtime events.
- B. Initial reviews of overtime records will be performed by:
 - 1. The OIC, or designate, of scheduled or assigned events; or
 - 2. On-duty supervisory or administrative personnel for non-scheduled or one-officer scheduled or assigned events.
- C. For overtime activities emanating directly from the Office of the Chief, overtime records will be reviewed only by the Office of the Chief, e.g. Internal Affairs overtime.
- D. Initially reviewed overtime records will be forwarded for final review and approval to bureau commanders for overtime resulting from their individual commands.
- E. Overtime records will be reviewed to ensure:
 - 1. Accuracy; and
 - 2. That all overtime was due to situations that were unusual, essential, or emergencies.
- F. Overtime records must receive final review and be distributed no later than one business day following overtime events.

1.438.40 Time Keeping Records

All agency employees are responsible for ensuring their time keeping records are filled out, completed, and submitted in accordance with time keeping instructions.

1.438.42 Pay Checks

- A. Excepting for modifications necessitated for certain holidays and/or university closings, paychecks and deposit records are received on the Thursday before each Friday designated as a university pay date.
- B. Pay checks and deposit records are received and verified by an employee in the Office of the Chief with assistance provided from others as appropriate. The paycheck and deposit record verification process must be conducted by at least two employees, neither of which signed payroll journals.
- C. Excepting for modifications necessitated for certain holidays and/or university closings, pay checks will be available for pick up or placed in employee's mailboxes no later than 0830 hours on

pay day Fridays.

- D. Pay checks not picked up by 0830 hours on Mondays following paydays will be picked up and securely stored by the Chief's Administrative Assistant. These pay checks may be subsequently claimed by employees during normal business hours.
- E. Employees assigned to, and actually working, shifts ending after 0001 hours on pay day Fridays may submit written or e-mail requests to the Office of the Chief for their pay checks to be made available after 0001 hours on those dates from Communications.
- F. The agency complies with the provisions **SPP 2-405** pertaining to mandatory direct deposit.
 - 1. State agencies are required to implement mandatory direct deposit of pay for all employees hired on or after 01/01/01.
 - 2. Employees must be advised when they are hired of their right to request an exemption from the direct deposit requirement.
 - 3. All hourly employees, including students, Contingent I, and hourly faculty are exempted from the mandatory direct deposit requirements, but may voluntarily enroll in the direct deposit program.