

GO Committee #1  
May 14, 2012

Worksession

MEMORANDUM

TO: Government Operations and Fiscal Policy Committee

FROM: Justina Ferber, Legislative Analyst

SUBJECT: **Worksession: FY13 Operating Budget  
Office of Human Resources (General Fund, Excluding Compensation)**

The County Executive submitted additional FY13 operating budget adjustments on May 3. For the Office of Human Resources, he recommends the addition of \$300,000 for tuition assistance to address equity issues between the Fraternal Order of Police and other County employees. The Executive's March operating budget included \$135,000 for police tuition assistance only. The additional tuition assistance will be awarded to employees on a first come, first served basis up to a total of \$300,000. The IAFF has pointed out that their agreement states that the County will increase the maximum annual allowance payable to a bargaining unit employee under the Employee Tuition Assistance Program to \$1,830 for FY13.

On May 7 the Committee discussed the amendment and noted that the MCGEO agreement did not include tuition assistance for FY13. The Committee requested OHR to obtain a written agreement from MCGEO stating it was in accord with the budget amendment for \$300,000 for tuition assistance for employees. The current MCGEO agreement states: "Tuition assistance shall be suspended for FY2013. The tuition assistance program shall be reinstated beginning FY2014. The amount and proportion of tuition assistance funding shall be a subject of the 2nd year reopener of this contract, effective July 1, 2013." Committee members supported the additional \$300,000 in tuition assistance but wanted assurances that the budget amendment was agreeable to MCGEO prior to making a recommendation for Council action.

Materials related to an agreement on tuition assistance with MCGEO were not available at the time the packet was prepared. They will be distributed as an addendum or at the meeting.

Attachments: May 3, 2012 memorandum from the County Executive	©1
May 4, 2012 Memo from FOP	©3
IAFF Agreement Article 54	©4



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

May 3, 2012

TO: Roger Berliner, President, County Council  
FROM: Isiah Leggett, County Executive   
SUBJECT: FY13 Budget Adjustments

I have determined there is a compelling need for two additional budget adjustments to my Recommended FY13 Operating Budget that I urge the Council to consider in its budget worksessions. In planning for contingencies, there is adequate set aside in my March 15 Recommended Budget to fund these budget amendments.

Similar to the comments in my April 26 transmittal of FY13 Budget Adjustments, the uncertainty concerning final resolution of the State's FY13 budget continues. These additional recommendations do not address the contingent budget reductions left in place after adjournment of the General Assembly on April 9. I anticipate making additional recommendations once the State concludes its work on the FY13 budget.

**FY13 Operating Budget Amendments**

**Health and Human Services**

Increase Cost: Reduce Waitlist for the Working Parents Assistance Child Care Subsidy Program – \$300,000

Due to the State instituted waitlist for the Purchase of Care Program and the local impact on County funded Working Parents Assistance (WPA) Program, staff in the Department of Health and Human Services have identified a total of 171 children on the WPA waitlist, as of March 31, 2012.

To ensure access to quality child care, and based on an average monthly subsidy of \$488, the additional \$300,000 I am recommending will provide an additional 51 eligible children with Working Parents Assistance program child care subsidies for one year.

Roger Berliner, President, County Council  
May 3, 2012  
Page 2

**Human Resources**

Increase Cost: Tuition Assistance -- \$300,000

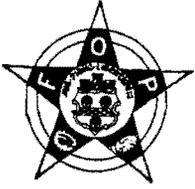
To address equity issues between the Fraternal Order of Police and other County employees, the County Executive recommends additional funding in the Tuition Assistance program, to be awarded on a first come, first serve basis, up to a total of \$300,000.

**Total Expenditures** -- \$600,000

As always, my staff will be available to discuss these changes with the Council in its deliberations on the FY13 Budget.

IL:jah

c: Timothy L. Firestine, Chief Administrative Officer  
Dr. Joshua Starr, Superintendent, Montgomery County Public Schools  
Dr. DeRionne Pollard, President, Montgomery College  
Francoise Carrier, Chair, Montgomery County Planning Board  
Stephen B. Farber, Council Staff Director  
Kathleen Boucher, Assistant Chief Administrative Officer  
Department and Office Directors



## Montgomery County Lodge 35, Inc.

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May 4, 2012

Councilmember Nancy Navarro, Chair  
Government Operations & Fiscal Policy Committee  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

Dear Chairman Navarro:

This follows statements offered by Fraternal Order of Police Lodge 35, at the May 1, 2012 Government Operations & Fiscal Policy Committee meeting. At that meeting, we indicated that the information in the Council packet was inaccurate in representing the agreement reached between the FOP and the County Executive. The vast majority of the inaccuracies apply to subjects over which the Council exercises no authority.

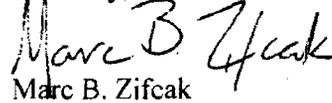
### **Tuition Assistance**

Police ETAP was not a subject addressed in the recent round of term negotiations between the County Executive and FOP 35. For FY 2012, the County Executive and FOP 35 agreed to seek funding for Police ETAP in the amount of \$135,000. This number was based upon a mutual examination of actual usage of qualifying tuition assistance by police officers. Although there was no negotiated change to this level in the recent round of term bargaining, the FOP agrees with the County Executive that it is an appropriate amount for FY 2013.

### **Summary Inaccuracies**

The "Summary of Proposed Labor Agreement with FOP Effective FY 2013" which begins on the page circled 82, does not accurately represent the agreement reached between FOP 35 and the County Executive on numerous matters. The FOP was not consulted and did not contribute to the preparation of this summary. While there were agreed upon substantive improvements made to the contract, there were many alterations that did not change, amend or alter its terms. Many of the changes include the incorporation of existing side agreement, settlements and awards. The Summary does not distinguish between a technical change and a substantive change. Articles 27 and 35 are riddled with changes to language that do not amount to changes in the agreement. Since these changes do not require Council action, we will not elaborate here. If a councilmember has any specific question, she or he can contact us directly.

Sincerely,

  
Marc B. Zifcak

President

IAFF AGREEMENT

ARTICLE 54 - TUITION ASSISTANCE

\* \* \*

Section 54.11

The County will increase the maximum annual allowance payable to a bargaining unit employee under the Employee Tuition Assistance Program to [\$1,630 for FY 2009, \$1,730 for FY 2010, and \$1,830 for FY 2011] \$1,830 for FY 2013.

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