

MEMORANDUM

March 12, 2013

**TO:** Public Safety Committee  
Government Operations & Fiscal Policy Committee

**FROM:** Leslie Rubin, Legislative Analyst  
Natalia Carrizosa, Research Associate  
Office of Legislative Oversight

**SUBJECT:** Worksession on OLO Report 2013-3: *Employee Work Hours and Leave in Montgomery County Government*

On March 14<sup>th</sup>, the GO and PS Committees will hold a joint worksession on OLO Report 2013-3, *Employee Work Hours and Leave in Montgomery County Government*. The Council received and released this report on March 5<sup>th</sup>. This report responds to the Council's request to examine employees' annual work hours (hours that employees work on regular pay), the use of leave, and some of the ways that employee leave use impacts personnel costs.

Executive Branch representatives expected to attend the Committee worksession include:

Department/ Office	Representative
Office of the County Executive	Fariba Kassiri, Assistant CAO
Office of Human Resources	Joseph Adler, Director
Department of Finance	Joseph Beach, Director
Montgomery County Fire and Rescue Services	Richard Bowers, Fire Chief
Montgomery County Police Department	Thomas Manger, Police Chief
Department of Correction and Rehabilitation	Arthur Wallenstein, Director
CountyStat	David Gottesman, Manager Ian Boyd, Senior Specialist Elisabeth Crichton, Analyst

This packet is organized as follows:

- **Section A** summarizes OLO's findings;
- **Section B** discusses comments on the report received from the Chief Administrative Officer;
- **Section C** summarizes OLO's recommendations for Council Action;
- **Section D** responds to a Councilmember request for comparative information on net annual work hours data in other local jurisdictions; and
- **Section E** responds to a Councilmember request for data on how bargained salary increases might impact overtime costs.

## A. Summary of Findings in Report 2013-2

OLO staff will provide the Committee with an overview of the report. The executive summary of OLO's major findings and recommendations is attached at ©1. Key findings from the report include:

- **Leave Accrual.** County Government employees accrue between 298 and 441 total paid leave hours annually. Compared to other local jurisdictions, Montgomery County generally offers more annual and personal leave in the first years of service. As years of service increase, earned leave becomes more equal across the jurisdictions.
- **Employee Availability.** Employee availability, or the percentage of time that employees were working regular hours as opposed to using leave, averaged 81 percent among full-time Executive Branch employees. Among the seven largest Executive Branch departments, employee availability ranges from 79 percent in MCFRS to 84 percent in DLC.
- **Overtime.** Executive Branch employees worked approximately one million overtime hours; departments that maintain minimum staffing requirements, which oblige departments to find replacements for employees who do not turn up for a shift, account for roughly 90 percent of these hours. On average, employees worked one overtime hour for every 11 regular hours worked.
- **Overtime with Few Regular Hours.** Roughly nine percent of all overtime hours were logged in pay periods when an employee also worked 40 or fewer regular hours. Employees worked more than 5,000 overtime hours in pay periods where they worked no regular hours.
- **Leave Abuse.** Department staff report that the documentation process for leave abuse is difficult and time-consuming. Except for DOT and DOCR, most departments infrequently give written reprimands or restrict employees' sick leave use.
- **Temporary Disability/Workers' Compensation.** Employees are put on Temporary Disability Leave when they injure themselves on the job and await a determination of whether they will be covered under the State Workers' Compensation system. Temporary Disability Leave made up 33 percent of all administrative leave and just under two percent of all leave.
- **Departmental Leave Administration.** The seven Executive Branch departments reviewed for this study report that they follow the Personnel Regulations and collective bargaining agreements when administering leave. However, leave administration practices in the Executive Branch are decentralized and vary widely by department.
- **Department and Union Feedback.** Department and union representatives would like more resources and support from the Office of Human Resources to train supervisors on how to administer, record, and monitor employee leave use. Insufficient training can provide opportunities for leave abuse and misuse among employees.
- **Variations in Data.** OLO found inconsistencies and variation in MCFRS time and attendance data for Executive Branch employees. These issues suggest better internal controls and/or more training may be needed to improve departments' administration and recordation practices.

## **B. Comments from the Chief Administrative Officer**

The Office of Legislative Oversight circulated a final draft of this report to the Chief Administrative Officer for Montgomery County. Written comments from the CAO were received on March 5<sup>th</sup> after the release of the report by the Council. The CAO's full written comments are attached at ©5, and the specific comments on each recommendation are included in the next section.

The CAO raised several issues in his written comments that merit further discussion. OLO's response to the CAO's comments on the report's methodology is included below, and OLO's responses to comments on specific recommendations are included in Section C.

**OLO Response to CAO Comments on Methodology.** The CAO's comments discussed OLO's methodology for calculating employee availability based on a 2,080-hour work year (or 2,496-hour work year for MCFRS employees). The CAO suggested subtracting 72 hours from these work year bases to calculate availability – representing nine holidays – because employees are not expected to work on holidays. OLO did not subtract out the time represented by holidays for its availability calculation for several reasons:

- The County Government's standard work year is 2,080 hours for most employees (2,496 hours for most MCFRS employees) and the County Government bases employee pay on these hours.
- Holidays that employees currently receive can change, as when Columbus Day was eliminated as a County Government holiday several years ago, and can vary by employee group. MCFRS employees, for example, receive Columbus Day, Inauguration Day, and Election Day as holidays, where other County Government employees do not.
- Many County Government employees are expected to work on holidays – particularly Corrections, Police, and Fire personnel – and receive holiday pay. As a result, the number of hours that would be recorded for employees working on holidays is not insignificant. In fact, most MCFRS employees receive holiday pay every holiday regardless of whether they are scheduled to work on an actual holiday (MCFRS' employees work in three shifts and only approximately on third of employees work on any given day).

Additionally, the CAO submitted with his comments a CountyStat presentation on Net Annual Work Hours, which includes calculations of availability that are higher than the calculations in OLO's report. The CAO suggested that holiday and personal leave days (and leave taken on those days) be taken from the overall total in order to calculate an availability percentage (using some number lower than 2,080 or 2,496 to calculate availability). If this calculation is made, the subsequent hours worked on holiday pay also need to be taken from the total hours worked to calculate availability. It is not clear if this adjustment was made as part of CountyStat's analysis.

## **C. OLO Recommendations**

OLO's review of employee work hours and leave in Montgomery County Government revealed opportunities to improve leave administration and to establish better controls on overtime work. The report includes five recommendations to revise aspects of leave administration with the goal of:

- Increasing the analysis of leave use to identify trends and patterns within and across departments;
- Developing more uniform processes for administering leave across departments;
- Increasing training of managers, supervisors, and employees to enhance understanding of leave administration and improve the accuracy of data collected on employee leave use; and
- Identifying opportunities to limit inappropriate use of leave and increase employee availability.

**Recommendation #1: Request that the County Executive expand the role of the Office of Human Resources in County leave administration.**

OLO suggests that OHR actively increase its role in leave administration in order to enhance consistency across departments and to develop a routine process for analyzing and reporting on leave use across County Government departments. Opportunities for additional oversight and direction from OHR include: developing training on leave administration; ensuring that employees are reporting leave correctly; evaluating potential electronic leave request processes; and monitoring the new FMLA leave administration processes.

*CAO Comments: The Office of Human Resources (OHR) does not have the capacity to take on additional tasks to oversee how County departments and offices collect and record data in MCTime, nor to develop an electronic Countywide system for requesting, approving, and monitoring employee leave use for all departments. However, in regard to the need for additional training and guidance to County managers, OHR will improve its current process to enhance training for managers and supervisors related to leave administration. As far as employees' leave related to workers' compensation matters, our newly created Disability Coordinator position in the Division of Risk Management, Department of Finance, will work closely with the disability manager in OHR to place transitioning injured workers into light duty positions in accordance with the rules and guidelines for workers' compensation claims. Please note that the Department of Finance, Division of Risk Management, will continue to be responsible for oversight of all leave related to workers' compensation issues.*

**OLO Response to CAO Comments:** While OHR may not have the capacity to expand its role in leave administration with its current staff, improving the administration of leave can save the County Government money in the long term and may justify adding additional positions in OHR for this purpose.

OHR took this approach, for example, when it centralized the process for reviewing and approving requests for Family and Medical leave, citing: 1) the need for uniformity and consistency, 2) the need for better controls on approval and monitoring, and 3) OHR's FMLA-related knowledge and expertise. Other aspects of leave administration could benefit from the same type of centralization and expertise.

The basis for this recommendation stems primarily from requests from Executive Branch department representatives for additional support and guidance from the Office of Human Resource. As OLO stated in its findings, minimal guidance on leave administration has led to inconsistent application of the leave-related rules (e.g., between MCGEO employees in DHHS, DGS, DOCR, etc.) and inconsistent recording of time and attendance data among and within departments.

If management of this practice is not a central Human Resource responsibility, leave use, tracking, coding and policy interpretation will likely remain widely divergent among departments.

**Recommendation #2: Request a bi-annual report from the Executive Branch on employee attendance and leave use.**

The Council should request a bi-annual (twice a year) report on employee leave use and trends across the County Government, including employee availability, leave use by type, and overtime use. The Council should also request an annual discussion with Executive Branch employees about employee leave use.

*CAO Comments: The County's ERP team has developed a dashboard that provides departments a tool to track leave and overtime utilization. This is in addition to other tools such as the Kronos Timekeeping system (MCTime). We will submit the ERP generated dashboard, reports and other MCTime generated reports on a quarterly or semi-annual basis.*

**Recommendation #3: Review and determine whether there is a reasonable number of required regular hours that an employee should work before being able to work overtime hours**

MCTime data for the time period analyzed show that 1,045 Executive Branch employees worked overtime in at least three pay periods when they worked fewer than half their regular hours. Another 245 employees worked overtime in at least one pay period in which they worked no regular hours.

With the County Executive, the Council should review the rules and policies that allow employees to work overtime in pay periods where they work fewer than their expected hours. Recognizing that there are some circumstances in which an employee might work overtime while not working all regular hours (e.g., vacation), the Council should discuss the merits of changing existing policies.

*CAO Comments: As part of our ongoing internal efforts we are focused on developing a set of cross-departmental processes and policy recommendations which, if implemented, will positively impact the number of hours employees are available to perform their work. Some of those recommendations would require revising the County's Personnel Regulations or becoming a part of management's collective bargaining proposal during the next round of union negotiations.*

*For example, Section 10-7(d) of the Montgomery County Personnel Regulations requires departments to compensate an employee with overtime pay or compensatory time if the employee's total hours in a pay status during the workday or workweek exceeded the overtime compensation threshold. Similar clauses exist in the collective bargaining agreements signed by the County and MCGEO, IAFF, and FOP. Employees on approved leave are considered to be in pay status for the purposes of triggering the relevant overtime provisions of the collective bargaining agreements or the Personnel Regulations. Additionally, there may be legitimate management reasons to require employees to work overtime or to hold them over for an additional shift in public safety and 24/7 operations in cases of an unforeseen need or other emergencies. Nevertheless, since this issue was specifically highlighted in the OLO report as a stand alone recommendation, CountyStat will conduct a more in-depth analysis, especially with the departments where this practice is occurring. MCFRS will be part of this in-depth assessment.*

**Recommendation #4: Ask the County Executive to undertake a more in-depth review of certain issues related to employee leave.**

In the course of this study, OLO's data analysis revealed areas or issues that may merit further study. OLO recommends that the Council consider asking the County Executive to do a more in-depth analysis and report back to the Council on the following topics.

**1. Review and, if necessary, revise the process surrounding Workers' Compensation program processing times and claim recordation practices.**

OLO's examination of Workers' Compensation data and interviews with Executive Branch employees revealed concerns with Workers' Compensation claims among department managers and supervisors. Executive Branch staff identified concerns about the length of time required for the County Government's Third Party Administrator – who makes determinations of whether an injury qualifies under the Workers' Compensation laws – to make those determinations.

In addition, data on Workers' Compensation claims show that 45% of claims classify the source of an employee's injury as "Not Otherwise Classified." While the County Government uses nationally standardized codes to classify employees' injuries, the Executive could explore ways to classify injuries more specifically.

**CAO Comments:** Please refer to my response under recommendation 3. Also, please refer to the following background information on the Workers' Compensation program and the claims reporting process.

- The performance standards for claim handling are established by law, regulation, collective bargaining agreements, and contract clauses and guidelines as established through agreement between risk management and the general contractor.

- For the past several years the County has conducted a bi-annual claims audit to assess the performance of the third party claims administrator. The results of these audits are used to improve the efficiency in process, procedure and workflow of the Workers' Compensation program.

- The County retains the ability to terminate the contract with the claims administrator and during 2012 did change the claims administrator before the scheduled termination of the contract to address concerns from departments and agencies. We continually work with the current administrator and affected departments to address contract performance issues.

- To reduce delay, online and telephonic claim reporting function is available 24/7 for supervisors to report injury or illness.

- Initial personal or telephone contact is made with the injured worker, immediate supervisor, and medical provider within 24 hours of receipt of a newly reported injury or illness.

- Employees are able to receive immediate treatment and prescriptions without cost or upfront payments. Information regarding how to obtain these services is available at [www.mcsip.org](http://www.mcsip.org) and employees are encouraged to utilize this tool. Additionally, employees who are not represented by legal counsel have the ability to contact their adjuster and receive guidance on available services and explanation of benefits.

- The Montgomery County Self Insurance Program (MCSIP) web site maintains up-to-date contact information as well as education/training content for all parties to a claim including employees, supervisors and physicians.

- A decision on the compensability of each claim is made within 14 business days of the receipt of the claim.

- Indemnity payments on compensable claims are made within five business days after receipt of appropriate documentation.

- Nurse case managers are utilized to ensure proper handling of the medical aspects of the claim. They are available to act as a liaison and advocate for the injured worker. These nurses are trained with an emphasis in workers' compensation issues and are certified by the State of Maryland. Their primary goal is to make sure the employee is receiving timely and effective treatment.

- A dedicated fax line is provided for treatment authorization requests. Frequently, these requests are not complete and cannot be acted upon until they are complete. For that reason, the third party administrator provides guidance to doctors and attorneys in the use of the dedicated fax line. These requests are given priority and monitored for timely response. Certification review determinations are made within two business days of receipt of the necessary information on a proposed admission or treatment requiring review determination.

- The large rate of injuries classified as "not otherwise specified" was a result of complications in the conversion of data from the prior claims administrator to the new administrator and has now been corrected.

- Finally, performance measures and monitoring have been put in place for the third party administrator and results are reviewed weekly, monthly, and quarterly.

CountyStat, in partnership with the Department of Finance and other stakeholders, will continue working to identify other ways of improving processing times and the claims recordation process.

**OLO Response to CAO Comments:** The CAO reported that the contract of the prior claims administrator was ended early because of concerns from departments and agencies. Department representatives reported that the prior claims administrator did not process initial claims in a timely manner. The Council should ask Executive Branch representatives if claims processing times improved under the new claims administrator.

**2. Examine options to improve sick leave management and support ongoing County efforts to promote a healthier workforce.**

Sick leave made up one half or more of all unscheduled leave in Executive Branch departments (except MCFRS) during the time period reviewed. Representatives in the seven largest Executive Branch departments and union representatives report that some employees use sick leave as if it is annual leave – using all leave accrued during the year even when they are not sick. Some employees call in for unscheduled sick leave when they request and are denied annual leave.

In addition to reviewing sick leave management, the Council should continue to support efforts to reduce sick leave use by promoting a healthier workforce, such as the creation and funding of a Wellness Coordinator position within County Government and the review of efforts to enhance disease management programs across the County agencies (based on the recommendations of the Council’s Task Force on Employee Wellness and Consolidation of Agency Group Insurance Programs).

*CAO Comments: The County has hired a Wellness Coordinator who will work with OHR and focus on programs concerning healthier employees and wellness. The County has also partnered with other County agencies to procure the services of an organization which will review health insurance utilization to assist us on focusing our efforts on the segment of the employee population who are overrepresented in the data. Additionally, the County and all three employee unions have agreed to examine the issues surrounding the utilization of sick leave and medical services and seek remedies to reduce the incidence and costs.*

**3. Undertake a more in-depth analysis of Montgomery County Fire and Rescue Service’s leave usage and recordation practices.**

The Montgomery County Fire and Rescue Service is an outlier in several leave categories (both significantly above and below the average for Executive Branch departments). OLO recommends that the Council ask the County Executive to perform a more in-depth assessment and analysis of MCFRS employee work hours and leave use. Any analysis should include a review of MCFRS’ work schedules and leave policies (i.e., not recording unscheduled leave in MCtime), the monitoring of leave use, and the costs of leave use.

*The CAO did not address this recommendation in his comments.*

**Recommendation #5: Recommend that the County Executive engage a consultant to undertake a study on Total Absence Management across the County Government, as recommended by the County Government’s Public Safety Work Group.**

OLO recommends that the Council endorse the Public Safety Work Group’s recommendation to undertake a Total Absence Management study for the County Government. The study should include a review of department staffing levels and work plans, which can help to better predict staffing and overtime needs.

If the County Executive does pursue a Total Absence Management study in the near future, OLO recommends that the Council ask the County Executive to transmit the results of the study to the Council at the study’s completion. OLO recommends that the Council ask the Executive to provide a written report within 90 days stating the Executive’s intention, and if applicable, a timeframe for pursuing a Total Absence Management study. Should the Executive pursue a study, OLO recommends that the Council ask the Executive to review the study’s recommendations before pursuing the systematic changes described in the above recommendations.

**CAO Comments:** *The Public Safety Work Group, our own internal workgroup established by the Department of Finance, which focuses on workers' compensation, deferred action on the Total Absence Management program until the results of the OLO Report on Employee Work Hours and Leave was completed. The County has been in contact with a consultant to discuss the scope of the Total Absence Management study and to review similar studies completed in other jurisdictions. We are still reviewing this matter to determine if this program should be developed by a consultant or through existing County resources. In addition, there are Total Absence Management modules in the County's Oracle Financial System and in the Kronos Timekeeping system (MCTime). As indicated, CountyStat, in partnership with the Department of Finance and other departments, is working to develop a set of actionable cross-departmental process and policy recommendations on this issue.*

#### **D. Comparing Work Hours of MCG Employees to Other Employees**

At the report's release on March 5<sup>th</sup>, Councilmember Floreen asked how County Government employees' work hours compare to the work hours of employees in other local governments. While OLO's report includes a summary/comparison of the leave provided by other local governments in this region, OLO cannot compare actual work hours because that would require access to non-publicly available work hours data from other jurisdictions.

In general, OLO found little data and analysis available on the work hours of employees in other local governments. OLO did find a 2012 Heritage Foundation study, titled "Government Employees Work Less than Private-Sector Employees," that compares the work hours of private sector, federal, and state and local government employees and offers a basis for comparison for the data described in the OLO report.<sup>1</sup>

**Heritage Study Data Caveats.** The Heritage Foundation's study used data from the American Time Use Survey – a "time diary" dataset sponsored by the Bureau of Labor Statistics. It is important to note a few key data caveats when comparing these data to Montgomery County data:

- The data in the survey were collected and aggregated from 2003 through 2010 and included only full-time employees;
- The data does not control for the number of hours an employee is required to work (how many hours are in an employee's work year); and
- The data does not control for overtime hours worked by employees.

In comparison, the County Government data used in the report includes only full-time Executive Branch employees who worked continuously between January 2, 2011 and June 30, 2012. Additionally, the County data do not include Management Leadership Service employees and department directors.

Additionally, it bears noting that the Heritage Foundation is a conservative think tank with the stated mission "to formulate and promote conservative public policies...." This report is not a non-partisan study.

**Work Hour Comparison to Montgomery County.** The table below compares the Heritage Foundation's study results with the average annual regular work hours of County Government Executive Branch employees. It is important to note that most MCFRS employees have a 2,496-hour work year (compared to a 2,080-hour work year for most other County Government employees), which results in higher average hours worked by Montgomery County Fire and Rescue Service employees compared to other departments.

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<sup>1</sup> The report is available at [http://www.heritage.org/research/reports/2012/09/government-employees-work-less-than-private-sector-employees#\\_ftn5](http://www.heritage.org/research/reports/2012/09/government-employees-work-less-than-private-sector-employees#_ftn5)

Because the Heritage Foundation study does not control for or quantify overtime, OLO compared the results to Montgomery County data in two ways: 1) a comparison to Executive Branch employees' average regular hours; and 2) a comparison to Executive Branch employees' average regular hours plus overtime hours. The data show:

- When overtime is excluded, County Government Executive Branch employees worked, on average, 169 fewer hours than state and local government employees included in the Heritage Foundation study (9% fewer hours).
- Including overtime hours, County Government Executive Branch employees worked, on average, seven fewer hours than other state and local government employees (a little less than one day for traditional "9-to-5" positions). Two departments' employees worked more than the Heritage Foundation average when including overtime – MCFRS (where most employees work a 2,496 hour work year) and DLC.

**Average Hours Worked by Montgomery County Government Executive Branch Employees Compared to Private Sector, Federal, and State & Local Government Employees**

	Number of Employees	Average Hours Worked in a Year	
<b>Heritage Foundation Study Data</b>			
Private Sector	39,042	2,083	
Federal Employees	1,776	1,930	
State & Local Employees	8,053	1,896	
<b>County Government Executive Branch Data</b>		<b>Without Overtime</b>	<b>With Overtime</b>
<b>All Employees</b>	<b>6,789</b>	<b>1,727</b>	<b>1,889</b>
MCFRS	1,121	1,905*	2,243*
DLC	225	1,736	1,964
DOT	1,013	1,711	1,874
Other	1,131	1,703	1,864
MCPD	1,456	1,690	1,809
DGS	358	1,683	1,776
DHHS	1,038	1,669	1,741
DOCR	447	1,657	1,690

\*Most MCFRS employees work a 2,496-hour work year.

**E. Effect of Salary Increases on Overtime Costs**

At the report’s release on March 5<sup>th</sup>, Councilmember Andrews asked how bargained salary increases for County Government employees would impact overtime costs. In Report 2013-3, OLO estimated that overtime by Executive Branch employees cost approximately \$63.2 million in the 18-month period between January 2, 2011 and June 30, 2012.

The County Government pays employees 1½ times their hourly rate for overtime work.<sup>2</sup> The table below summarizes the impact of salary increases on overtime costs, and illustrates how the cost would increase using the \$63.2 million overtime cost estimate as a base.

**Estimate of Impact of Salary Increases on Overtime Costs**

<b>If Salaries Increase...</b>	<b>Overtime Costs Will Increase...</b>	<b>The \$63.2 Million Overtime Cost Would Increase...</b>
5%	7.5%	\$3.2 million
10%	15.0%	\$6.3 million
15%	22.5%	\$9.5 million
20%	30.0%	\$12.7 million

**LIST OF ATTACHMENTS**

<b>Item</b>	<b>Begins at:</b>
Executive Summary for OLO Report 2013-3	© 1
Written Comments from the County Government’s Chief Administrative Officer, dated March 5, 2013	© 5
Heritage Foundation Report – “Government Employees Work Less than Private-Sector Employees”	© 11
CountyStat Report – Montgomery County Personnel Study: Net Annual Work Hours	© 17

<sup>2</sup> Note that some employees earn compensatory leave in lieu of overtime pay.

# Employee Work Hours and Leave in Montgomery County Government

Office of Legislative Oversight Report 2013-3 • March 5, 2013

The total hours worked by County employees directly correlates with overtime hours worked and with the total number of County Government employees needed to provide services to County residents. Understanding and analyzing employee work hours and leave use can help an employer increase employee availability, quantify the cost of leave, and identify opportunities to improve leave administration.

## EMPLOYEE LEAVE IN MONTGOMERY COUNTY GOVERNMENT

Governed by the Personnel Regulations and collective bargaining agreements, County Government employees annually accrue between 298 and 441 hours of paid leave, varying by employee group and years of service. County employees can supplement accrued leave with nine other types of leave: (1) Family and Medical leave (FMLA); (2) Disability leave; (3) Parental leave; (4) Administrative leave; (5) Compensatory leave; (6) Holiday leave; (7) Military leave; (8) Religious leave; and (9) Leave Without Pay.

Employee Group	Leave Hours Accrued Annually				
	Annual	Personal	Sick	Comp.	Total
FOP	120-208	32-40	120	26	298-394
MCGEO, IAFF 2,080 Employees, and Unrepresented Employees	120-208	24*	120	None	264-352
IAFF 2,184 Employees	126-219	48	126	None	276-369
IAFF 2,496 Employees	144-249	48	144	None	336-441

\*Personal leave does not include bus operators who receive one personal day and additional compensatory time and IAFF 2,080 members who receive 40 hours of personal leave per year.

Compared to other local jurisdictions, Montgomery County generally offers more annual and personal leave in the first years of service. As years of service increase, earned leave becomes more equal across the jurisdictions.

## LEAVE ADMINISTRATION IN MONTGOMERY COUNTY GOVERNMENT

Leave administration occurs primarily at the department level; the Office of Human Resources is responsible only for the administration of leave without pay and, as of December 2012, Family and Medical leave. OHR provides training on FMLA leave and, if requested by a department, other types of leave. OLO reviewed leave practices in the seven largest (by FTEs) Executive Branch departments:

- Corrections and Rehabilitation Services (DOCR);
- General Services (DGS);
- Health and Human Services (DHHS);
- Liquor Control (DLC);
- Transportation (DOT);
- Fire and Rescue Services (MCFRS); and
- Police (MCPD).

Overall, the administration of leave varies across departments. Examples of variations include:

- Supervisors across departments are trained on leave by internal department staff, OHR, or not at all;
- The request for and tracking of leave across department can be electronic or hand written; and
- Some departments use “leave buddies” where employees coordinate leave to ensure work coverage.

One of the largest variations in leave administration is that departments/divisions with minimum staffing requirements have annual “vacation” picks and may limit the amount of annual leave that an employee can take during the year. Representatives from the employee unions report that these restrictions result in decreased morale, primarily due to an increased workload and decreased time off. Department managers report observing higher levels of leave abuse/misuse as a consequence of restricted annual leave.

## LEAVE USE IN MONTGOMERY COUNTY GOVERNMENT

OLO analyzed data from the County Government's MTime electronic time and attendance system, including hours worked, leave used, and overtime hours, for 6,789 full-time Executive Branch staff employed continuously between January 2, 2011 and June 30, 2012.

On an annualized basis, full-time Executive Branch employees took approximately 2.7 million hours of leave in a year. Annual, sick, and compensatory leave accounted for 74% of Executive Branch employees' leave use.

**Availability.** On average, employees were available to work 81% of the time. DLC employees had the highest availability (84% of the time) and MCFRS employees had the lowest (79%). Additionally, unrepresented employees had the highest availability (84% of the time) and IAFF members had the lowest (79%).

Department	# of Employees	Availability	Average Leave Taken Annually (in hours)				
			Total	Annual	Sick	Comp.	Other
MCFRS	1,121	78.7%	516**	167	129	76	139
DOCR	447	79.8%	418	144	107	50	107
DGS	358	80.9%	396	141	106	47	98
DHHS	1,038	81.0%	391	148	106	26	110
MCPD	1,456	81.3%	389	127	81	73	100
Other**	1,131	82.1%	372	145	92	33	101
DOT	1,013	82.5%	363	134	106	27	93
DLC	225	83.8%	334	128	85	27	91
<b>Average</b>	<b>6,789</b>	<b>81.0%</b>	<b>404</b>	<b>143</b>	<b>101</b>	<b>49</b>	<b>107</b>

\* Other (departments) includes all other Executive Branch departments.

\*\* Note that most MCFRS employees have a 2,496-hour work year. Employees in other departments typically have a 2,080-hour work year.

**Administrative Leave.** Six percent of all leave taken was administrative leave. Temporary disability leave was the most commonly used type of administrative leave (33% of admin. leave), used when an employee injures himself on the job and is awaiting a Worker's Compensation determination. Another 25% of leave was unclassified. In May 2012, several County Government departments (MCPD, MCFRS, DOCR, OHR, OMB, and Finance) formed a joint Public Safety Work Group to address increasing Worker's Compensation costs.

## LEAVE ABUSE IN MONTGOMERY COUNTY GOVERNMENT

Departments report that only a small percent of employees misuse or abuse leave. Department staff report that it is difficult to successfully identify leave abusers to prevent future abuse. Department staff report that employees most commonly abuse sick leave and FMLA leave.

Most departments infrequently place employees on sick leave restriction or give written reprimands for leave abuse. During FY12, only two departments placed more than 1% of employees on sick leave restriction (DOCR and DOT placed 11% and 6% of employees on sick leave restriction, respectively). Additionally, only 25 employees were issued a written reprimand for leave abuse. Department staff report that the process for documenting leave abuse is difficult and time-consuming.

## OVERTIME USE IN MONTGOMERY COUNTY GOVERNMENT

Executive Branch employees worked approximately one million overtime hours. Departments with minimum staffing requirements accounted for roughly 90 percent of overtime hours (MCFRS (34%), DOT (23%) and MCPD (23%). By union, MCGEO employees worked almost half of all overtime hours (42%), followed by IAFF (34%), FOP (17%), and unrepresented employees (7%). On average, employees worked one overtime hour for every 11 regular hours worked.

Number of Regular Hours Worked for Each Overtime Hour								
DHHS	Other	DLC	DGS	MCPD	DOCR	DOT	MCFRS	All Depts.
78	45	24	18	10	8	7	6	11

Approximately 83% of all employees (5,605 employees) logged overtime hours between January 2011 and June 2012, with 5% (260 employees) logging over 1,000 hours each. MCFRS, DOT, and MCPD – all departments with minimum staffing requirements – had the highest share of employees who each worked more than 500 overtime hours (MCFRS (44%), DOT (26%) and MCPD (19%)).

**Overtime in Pay Periods with Few Regular Hours.** Roughly 9% of all overtime hours (132,000 hours) were logged in pay periods when an employee worked half or fewer of their regular hours. Employees worked more than 5,000 hours of overtime in pay periods where the employee worked no regular hours. MCFRS had the highest percent of department overtime worked by employees who worked fewer than half their expected hours in a pay period (12% of overtime hours). Additionally, among all employees who worked overtime hours during pay periods while working no regular hours – 62% were MCFRS employees.

## LEAVE DATA MANAGEMENT

OHR has no centralized requirements or procedures in place for reporting or monitoring employees' leave use across the County Government as a whole. Instead, OHR allows individual departments the discretion to monitor their employees' leave use, or not. OLO found that some departments have a process to track and monitor employee leave use for the whole department while other departments do not.

OLO found inconsistencies and variation in Mctime time and attendance data among Executive Branch employees and departments. Some possible reasons for these variations could include:

- Departments may use different rules for granting or implementing certain types of leave;
- Departments may record the use of specific types of leave differently (or not at all) in Mctime; and/or
- Employees may be misusing or abusing certain types of leave.

FMLA Leave	FMLA leave made up 3.5% of all leave – ranging from 1-3% of leave in most departments, but making up 8% of leave in both DOCR and DOT.
Parental Leave	The average employee used fewer than five hours of parental leave, except DOCR employees used 12 hours and MCFRS employees used 37 hours, on average. Employees use parental leave when they have a baby or adopt a child.
Unscheduled Leave	Unscheduled leave made up 5.5% of all leave – ranging from 3-14% of leave in most departments, but only one half of a percent of all leave in MCFRS. MCFRS reports that the department does not record leave for IAFF employees as “unscheduled” because the term is not defined in the IAFF CBA.

## RECOMMENDATIONS

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OLO recommends the following:

**1. Request that the County Executive expand the role of the Office of Human Resources in County Government leave administration.**

OLO suggests that OHR actively increase its role in leave administration in order to enhance consistency across departments and to develop a routine process for analyzing and reporting on leave use across County Government departments. Opportunities for additional oversight and direction from OHR include: developing training on leave administration; ensuring that employees are reporting leave correctly; evaluating potential electronic leave request processes; and monitor the new FMLA leave administration processes.

**2. Request a bi-annual report from the Executive Branch on employee attendance and leave use.**

The Council should request a bi-annual (twice a year) report on employee leave use and trends across the County Government, including employee availability, leave use by type, and overtime use.

**3. Review and determine whether there is a reasonable number of required regular hours that an employee should work before being able to work overtime hours.**

With the County Executive, the Council should review the rules and policies that allow employees to work overtime in pay periods where they work fewer than their expected hours. Recognizing that there are some circumstances in which an employee might work overtime while not working all regular hours (e.g., vacation), the Council should discuss the merits of changing existing policies.

**4. Ask the County Executive to undertake a more in-depth review of certain issues related to employee leave.**

OLO's data analysis revealed areas that may merit further study and OLO recommends that the Council consider asking the County Executive to do more analysis and report back to the Council on the following:

- Review and, if necessary, revise the process surrounding the Workers' Compensation program processing times and claim recordation practices.
- Examine options to improve sick leave management and support ongoing County Government efforts to promote a healthier workforce.
- Undertake a more in-depth analysis of Montgomery County Fire and Rescue Services' leave usage and recordation practices.

**5. Recommend that the County Executive engage a consultant to undertake a study on Total Absence Management across the County Government, as recommended by the County Government's Public Safety Work Group.**

OLO recommends that the Council endorse the Public Safety Work Group's recommendation to undertake a Total Absence Management study for the County Government. The study should measure and analyze employee absence and staffing levels across the entire County Government.

For a full copy of this report, please visit [www.montgomerycountymd.gov/olo](http://www.montgomerycountymd.gov/olo)

Available in alternative formats upon request.



OFFICES OF THE COUNTY EXECUTIVE

Isiah Leggett  
County Executive

Timothy L. Firestine  
Chief Administrative Officer

MEMORANDUM

March 5, 2013

TO: Chris Cihlar, Director, Office of Legislative Oversight

FROM: Timothy L. Firestine, Chief Administrative Officer 

SUBJECT: OLO Report 2013-3, Employee Work Hours and Leave in Montgomery County Government

Thank you for the opportunity to comment on the Office of Legislative Oversight's (OLO) Report 2013-3 regarding Employee Work Hours and Leave in Montgomery County Government. The OLO has undertaken a thorough analysis of this issue. The research conducted by OLO staff members Kristen Latham, Leslie Rubin, and Natalia Carrizosa resulted in a valuable report which will supplement our ongoing efforts.

As you are aware, for years CountyStat has been monitoring employees' work hour and other employee leave related matters in County departments. As a result, over a year ago, CountyStat started a more in depth cross-departmental analysis of employees' work hours and leave use (refer to the attached CountyStat slides/report). This report was presented and discussed with all department directors at a meeting on April 13, 2012. Note slides two and three which outline our objectives of this effort. Also, I thank you for your participation at one of our internal workgroups related to the workers' compensation aspect of this issue.

From a technical perspective, it is helpful to remember that OLO's methodology for identifying the standard for normal employee work hours (i.e., total hours that an employee is expected to be available) does not include an adjustment for the nine paid holidays received by employees. The report uses 2,080 hours for all employees except those in the Montgomery County Fire and Rescue Service (MCFRS) and 2,424 hours for MCFRS employees. However, the County has nine paid holidays during which employees are not expected to be at work. If those nine days (72 hours) were deducted from the standard employee work hours, the employee availability rate would be higher. This is not an issue of right or wrong methodology. But it is helpful to remember that eliminating the nine paid holidays from the standard works hours calculation might help to focus the discussion on actual leave types being used by employees that might be related to problems such as increased overtime use.

The following comments are offered for the specific recommendations made in the report.

**OLO Recommendation 1:** Request that the County Executive expand the role of the Office of Human Resources in County leave administration.

**CAO response:** The Office of Human Resources (OHR) does not have the capacity to take on additional tasks to oversee how County departments and offices collect and record data in MCTime, nor to develop an electronic Countywide system for requesting, approving, and monitoring employee leave use for all departments. Department and office directors will continue to be responsible for administering, enforcing, and monitoring all aspects of their employees' leave use. However, in regard to the need for additional training and guidance to County managers, OHR will improve its current process to enhance training for managers and supervisors related to leave administration. As far as employees' leave related to workers' compensation matters, our newly created Disability Coordinator position in the Division of Risk Management, Department of Finance, will work closely with the disability manager in OHR to place transitioning injured workers into light duty positions in accordance with the rules and guidelines for workers' compensation claims. Please note that the Department of Finance, Division of Risk Management will continue to be responsible for oversight of all leave related to workers' compensation issues.

**OLO Recommendation 2:** Request a quarterly report from the Executive branch on employee attendance and leave use.

**CAO Response:** The County's ERP team has developed a dashboard that provides departments a tool to track leave and overtime utilization. This is in addition to other tools such as the Kronos Timekeeping system (MCTime). We will submit the ERP generated dashboard reports and other MCTime generated reports on a quarterly or semi-annual basis.

**OLO Recommendation 3:** Review and consider revising the County Government's current policies and practices on employees' use of leave and overtime in the same pay period.

**CAO Response:** As part of our ongoing internal efforts we are focused on developing a set of cross-departmental processes and policy recommendations which, if implemented, will positively impact the number of hours employees are available to perform their work. Some of those recommendations would require revising the County's Personnel Regulations or becoming a part of management's collective bargaining proposal during the next round of union negotiations.

For example, Section 10-7(d) of the Montgomery County Personnel Regulations requires departments to compensate an employee with overtime pay or compensatory time if the employee's total hours in a pay status during the workday or workweek exceeded the overtime compensation threshold. Similar clauses exist in the collective bargaining agreements signed by the County and MCGEO, IAFF, and FOP. Employees on approved leave are considered to be in pay status for the purposes of triggering the relevant overtime provisions of the collective

bargaining agreements or the Personnel Regulations. Additionally, there may be legitimate management reasons to require employees to work overtime or to hold them over for an additional shift in public safety and 24/7 operations in cases of an unforeseen need or other emergencies. Nevertheless, since this issue was specifically highlighted in the OLO report as a stand alone recommendation, CountyStat will conduct a more in-depth analysis, especially with the departments where this practice is occurring. MCFRS will be part of this in-depth assessment.

**OLO Recommendation 4:** Ask the County Executive to undertake a more in-depth review of certain issues related to employee leave.

**OLO Recommendation 4.1:** Review and, if necessary, revise the process surrounding Workers' Compensation program processing times and claim recordation practices.

**CAO Response:** Please refer to my response under recommendation 3. Also, please refer to the following background information on the Workers' Compensation program and the claims reporting process.

- The performance standards for claim handling are established by law, regulation, collective bargaining agreements, and contract clauses and guidelines as established through agreement between risk management and the general contractor.
- For the past several years the County has conducted a bi-annual claims audit to assess the performance of the third party claims administrator. The results of these audits are used to improve the efficiency in process, procedure and workflow of the Workers' Compensation program.
- The County retains the ability to terminate the contract with the claims administrator and during 2012 did change the claims administrator before the scheduled termination of the contract to address concerns from departments and agencies. We continually work with the current administrator and affected departments to address contract performance issues.
- To reduce delay, online and telephonic claim reporting function is available 24/7 for supervisors to report injury or illness.
- Initial personal or telephone contact is made with the injured worker, immediate supervisor, and medical provider within 24 hours of receipt of a newly reported injury or illness.
- Employees are able to receive immediate treatment and prescriptions without cost or upfront payments. Information regarding how to obtain these services is available at [www.mcsip.org](http://www.mcsip.org) and employees are encouraged to utilize this tool. Additionally, employees who are not

represented by legal counsel have the ability to contact their adjuster and receive guidance on available services and explanation of benefits.

- The Montgomery County Self Insurance Program (MCSIP) web site maintains up-to-date contact information as well as education/training content for all parties to a claim including employees, supervisors, and physicians.
- A decision on the compensability of each claim is made within 14 business days of the receipt of the claim.
- Indemnity payments on compensable claims are made within five business days after receipt of appropriate documentation.
- Nurse case managers are utilized to ensure proper handling of the medical aspects of the claim. They are available to act as a liaison and advocate for the injured worker. These nurses are trained with an emphasis in workers' compensation issues and are certified by the State of Maryland. Their primary goal is to make sure the employee is receiving timely and effective treatment.
- A dedicated fax line is provided for treatment authorization requests. Frequently, these requests are not complete and cannot be acted upon until they are complete. For that reason, the third party administrator provides guidance to doctors and attorneys in the use of the dedicated fax line. These requests are given priority and monitored for timely response. Certification review determinations are made within two business days of receipt of the necessary information on a proposed admission or treatment requiring review determination.
- The large rate of injuries classified as "not otherwise specified" was a result of complications in the conversion of data from the prior claims administrator to the new administrator and has now been corrected.
- Finally, performance measures and monitoring have been put in place for the third party administrator and results are reviewed weekly, monthly, and quarterly.

CountyStat, in partnership with the Department of Finance and other stakeholders, will continue working to identify other ways of improving processing times and the claims recordation process.

**OLO Recommendation 4.2:** Examine options to improve sick leave management and support ongoing County efforts to promote a healthier workforce.

**CAO Response:** The County has hired a Wellness Coordinator who will work with OHR and focus on programs concerning healthier employees and wellness. The County has also partnered

Chris Cihlar, Director, Office of Legislative Oversight  
March 5, 2013  
Page 5

with other County agencies to procure the services of an organization which will review health insurance utilization to assist us on focusing our efforts on the segment of the employee population who are overrepresented in the data. Additionally, the County and all three employee unions have agreed to examine the issues surrounding the utilization of sick leave and medical services and seek remedies to reduce the incidence and costs.

**OLO Recommendation 5:** Recommend that the County Executive engage a consultant to undertake a study on Total Absence Management across the County Government, as recommended by the County Government's Public Safety Work Group.

**CAO Response:** The Public Safety Work Group, our own internal workgroup established by the Department of Finance, which focuses on workers' compensation, deferred action on the Total Absence Management program until the results of the OLO Report on Employee Work Hours and Leave was completed. The County has been in contact with a consultant to discuss the scope of the Total Absence Management study and to review similar studies completed in other jurisdictions. We are still reviewing this matter to determine if this program should be developed by a consultant or through existing County resources. In addition, there are Total Absence Management modules in the County's Oracle Financial System and in the Kronos Timekeeping system (MCTime). As indicated, CountyStat, in partnership with the Department of Finance and other departments, is working to develop a set of actionable cross-departmental process and policy recommendations on this issue.

We appreciate the time and effort employed by OLO to create this report and identify critical policy areas and will address the issues as indicated above.

TLF:fk

Attachment

cc: Joseph Adler, Director, Office of Human Resources  
Uma Ahluwalia, Director, Department of Health and Human Services  
Joseph Beach, Director, Department of Finance  
Kathleen Boucher, Assistant Chief Administrative Officer  
Richard Bowers, Chief, Fire and Rescue Service  
David Dise, Director, Department of General Services  
George Griffin, Director, Department of Liquor Control  
Marc Hansen, County Attorney  
Arthur Holmes, Director, Department of Transportation  
Jennifer Hughes, Director, Office of Management and Budget  
Fariba Kassiri, Assistant Chief Administrative Officer  
Tom Manger, Chief, Montgomery County Police Department  
Sonny Segal, Director, Department of Technology Services

Chris Voss, Director, Office of Emergency Management/Homeland Security  
Arthur Wallenstein, Director, Corrections and Rehabilitation  
David Gottesman, CountyStat Manager

# BACKGROUND

No. 2724 | SEPTEMBER 11, 2012

## Government Employees Work Less than Private-Sector Employees

Jason Richwine, PhD

### Abstract

*The stereotype of the underworked government employee is frequently invoked in criticisms of public-sector employment. But does the average public employee really work less than the average private employee? To provide an objective answer, this paper uses the American Time Use Survey, which produces a detailed listing of personal activities on a given day for each respondent. Based on this dataset, government employees work around three fewer hours per week and roughly one less month per year than private-sector workers. Substantial differences in work time persist even after controlling for occupational and skill differences between sectors. The underworked government employee should be of concern to taxpayers who expect private-sector levels of work in the public sector in exchange for private-sector levels of compensation.*

This paper, in its entirety, can be found at <http://report.heritage.org/bg2724>

Produced by the Domestic Policy Studies Department

The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
(202) 546-4400 | [heritage.org](http://heritage.org)

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The stereotype of the underworked government employee is frequently invoked in critiques of public-sector employment practices. Critics suggest that government jobs routinely feature shorter workdays, prolonged sick leave, and extended vacation breaks. But does the average public employee really work less than the average private employee?

The question is important for practical economic reasons and for broader political considerations. From a budgetary perspective, shorter work hours in the public sector may cause governments to be less efficient in converting tax dollars into public services. More broadly, the perception that government employees do not work as hard as private-sector employees runs counter to the spirit of public service. Voters need assurances that government workers receive no special privileges as a result of their employment.

This *Background* compares the amount of time that government and private employees spend working, using a rich and detailed dataset known as the American Time Use Survey.

### Inadequate Measures of Work Time

Researchers often measure work time using “contract hours,”

### KEY POINTS

- Critics of public-sector employment charge that government employees work less than private-sector employees. Prior studies measuring work time based on “contract hours” or on self-reports are insufficient to establish whether this is true.
- The American Time Use Survey (ATUS) provides an objective, precise, and much more reliable method for evaluating the claim. The ATUS is a “time diary” dataset that catalogues each respondent’s activities, including work time, during a full 24-hour day.
- Analysis of the ATUS indicates that government employees work around three fewer hours per week and roughly one less month per year than private-sector workers.
- Substantial differences in work time persist even after controlling for occupational and skill differences between sectors.
- Lawmakers should ensure that public employees’ work time and compensation are generally in line with those of private-sector employees.

meaning the amount of time that employers require their employees to be at work. Contract hours generally show public workers receiving more official paid leave than private workers.<sup>1</sup> But many employees, both public and private, routinely take work home, skip lunch breaks, pass up vacation days, or go to the office on weekends. Others may regularly come to the office late and duck out early. Little of this variation in work time is captured by contract hours, which could be unfair to employees who frequently work off the clock. Measuring work time using contract hours can be especially inadequate for school teachers, who have shorter official workdays but often grade papers or develop lesson plans at home.<sup>2</sup>

As an alternative to contract hours, researchers have used surveys that directly ask individuals about the hours they work. The Current Population Survey (CPS), for example, poses this question in its annual March supplement: “In the weeks that [you] worked, how many hours did [you] usually work per week?” Responses indicate that private employees work about the same number of total hours as federal employees and slightly more hours than state and local employees.<sup>3</sup> But answers to open-ended questions

like these are susceptible to exaggeration and subjectivity regarding what each respondent actually defines as work. The CPS in particular yields overestimates of work time.<sup>4</sup>

Although both contract hours and worker surveys tend to show government employees as a group working less than private employees, better data are needed for an objective comparison.

### The American Time Use Survey

The American Time Use Survey (ATUS) is a “time diary” dataset sponsored by the Bureau of Labor Statistics (BLS) that catalogues in detail each respondent’s activities, including work time, during a full 24-hour period.<sup>5</sup> Now totaling around 13,000 responding households per year, the ATUS sample is a representative subset of the CPS.

Respondents are notified in advance of the interview and are reminded to describe activities that occurred specifically on the day prior to the interview. Interviewers go through the entire 24-hour day, noting all of the activities mentioned by the respondent. The respondent’s raw answers are then placed by BLS researchers into a detailed set of activity categories that are standardized across all respondents.

A major strength of the ATUS is that it does not undercount working at home versus working at an office, or working evenings rather than regular business hours. If someone is working at 2:00 a.m. on a Saturday, the ATUS will account for it. No other large-scale, nationally representative dataset used to estimate work time has this kind of objectivity and precision.

Another advantage of the ATUS interview process is that respondents are not asked to estimate the amount of time spent on any broad activity category. Respondents may naturally inflate time spent on useful or socially approved activities; they are less likely to do so here. They are never asked, for example, “How many hours did you work yesterday?” Instead, respondents describe all of their specific activities—such as, “I wrote an e-mail”—and then state whether that activity was performed for their job.

This *Background* uses the ATUS variable called “work, main job” and combines the results of each ATUS survey from 2003 through 2010. Aggregation produces a total sample of 1,776 federal workers, 8,053 state and local workers, and 39,042 private-sector workers. The ATUS data allow users to analyze both the number of hours individuals work

1. According to one recent analysis, paid leave for employees of large private-sector firms was equivalent to 9.5 percent of wages. The comparable figures for federal and state/local employees were 16.5 percent and 12.5 percent, respectively. Andrew G. Biggs and Jason Richwine, “Comparing Federal and Private Sector Compensation,” American Enterprise Institute *Working Paper*, June 8, 2011, p. 37, <http://www.aei.org/paper/100203> (accessed August 30, 2012).
2. Economists from the Bureau of Labor Statistics have noted this concern. Maury Gittleman and Brooks Pierce, “Compensation for State and Local Government Workers,” *Journal of Economic Perspectives*, Vol. 26, No. 1 (Winter 2012), pp. 217–242.
3. Based on author’s calculations, with the 2006–2010 CPS samples limited to full-time civilians between the ages of 18 and 64 who worked for a wage or salary in the previous year.
4. John P. Robinson, Steven Martin, Ignace Glorieux, and Joeri Minnen, “The Overestimated Workweek Revisited,” *Monthly Labor Review*, Vol. 134, pp. 43–53, <http://www.bls.gov/opub/mlr/2011/06/art3full.pdf> (accessed August 30, 2012).
5. ATUS data were downloaded from the online extract builder ATUS-X, Katharine G. Abraham, Sarah M. Flood, Matthew Sobek, and Betsy Thorn, American Time Use Survey Data Extract System: Version 2.4 (machine-readable database), Maryland Population Research Center, University of Maryland, College Park, Maryland, and Minnesota Population Center, University of Minnesota, Minneapolis, Minnesota, 2011, <http://www.atusdata.org/index.shtml> (accessed August 30, 2012).

during a typical workweek and the total number of hours they work during the calendar year. Thus, the ATUS can capture differences in both weekly work hours and the actual amount of time off that employees enjoy throughout the year.

### Measuring Work Time with the ATUS

Each ATUS respondent is interviewed only once, but total interviews are spread throughout the year, ensuring that individual responses can be aggregated into a representative picture of the population (or of a subgroup) over the full calendar year.

If an individual ATUS respondent works six hours on his interview day, this individual does not necessarily work “6 hours x 7 days = 42 hours/week.” However, because other respondents were interviewed on other days of the week, the average work time *for the group* can be computed by averaging the six hours that Person A worked on Monday, the seven hours that Person B worked on Tuesday, the seven hours Person C worked on Wednesday, and so on, then multiplying the daily average by seven to get the full-week estimate.<sup>6</sup>

This method works only if the distribution of interview days throughout the week is roughly uniform. If half of the interviews were conducted on a Saturday, for example, adding up work times for each respondent would underestimate actual work time because weekdays are underrepresented.

The ATUS is weighted so that interview days for the sample as a whole are evenly distributed throughout the week. However,

subgroups (such as government workers) will not necessarily have the same proportion of interview days on weekends as the overall sample. In order to account for this potential bias, separate averages for weekday hours and weekend hours are computed and then combined to produce an estimate for the full week.

Mathematically, “average weekly work time = 5 x (average work time on a weekday) + 2 x (average work time on a weekend day).” Similarly, the calculation of the average *yearly* work time weights weekdays by 261 (roughly the number of weekdays in a calendar year) and weekend days by 104.<sup>7</sup>

### Results: Comparing Work Time During a Typical Workweek

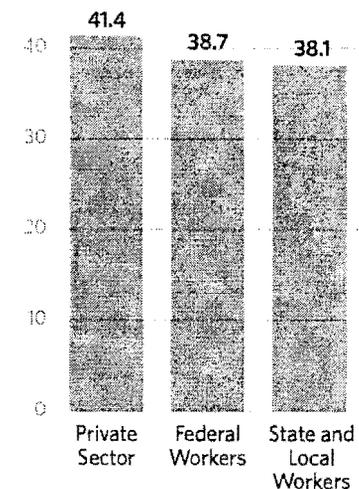
To measure the typical workweek, this section excludes ATUS respondents who are on vacation or otherwise away from their jobs. Included in the analysis are respondents who describe their labor status as currently working full time (excluding the self-employed), who are between the ages of 18 and 64, who were not interviewed on a holiday, and for whom no interview problems were reported.

The results show that private-sector employees work 41.4 hours during a typical work-week. Federal workers, by contrast, put in 38.7 hours, and state and local government employees work 38.1 hours. As with all the public-private differences reported in this *Backgrounder*, the time differences between each government sector and the private sector are statistically significant at the 95 percent level or greater.

CHART 1

### Government Employees Work Less than Private-Sector Employees

TYPICAL LENGTH OF WORK WEEK  
50 HOURS



Source: Author's calculations based on data from the U.S. Department of Labor, Bureau of Labor Statistics, American Time Use Survey, 2003-2010, <http://www.bls.gov/tus/> (accessed August 31, 2012).

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### Results: Comparing Work Time During a Calendar Year

Working fewer hours in a typical week adds up to a substantial difference over the full year. Analyzing the full year also incorporates the impact of vacation and other paid leave on total work time.

Now added to the set of respondents above are workers whose employment status is “employed-absent,” in addition to the respondents in the previous section

6. For a more technical discussion, see Harley Frazis and Jay Stewart, “How to Think About Time-Use Data: What Inferences Can We Make About Long- and Short-Run Time Use from Time Diaries?” Bureau of Labor Statistics *Working Paper* No. 442, November 2010, <http://www.bls.gov/osmr/pdf/ec100100.pdf> (accessed August 30, 2012).

7. This topic is discussed further under “Caveats and Robustness Checks” below.

who were all “employed-at work.” Workers who are “employed-absent” may be on vacation, taking sick leave, or not working for some other reason despite being employed. Excluded from this full-year analysis are all school teachers, whose naturally shorter work year would skew the comparison.<sup>8</sup>

For ease of interpretation, “equivalent 40-hour workweeks” are compared by dividing total annual work hours by 40. Private-sector employees work the equivalent of 3.8 more 40-hour workweeks than federal employees, and 4.7 more weeks than state and local government workers. Put another way, private employees work about one month more each year than public employees.

Note that these figures reflect actual hours worked during the calendar year, not simply an estimate of hours based on a predetermined work schedule. There is no need to count how many vacation days or sick days that public and private workers receive—or to make any assumptions about work schedules at all—since the ATUS accounts for all work hours on any day.

### Controlling for Skill and Occupational Differences

Are the differences in work time due to the different occupations and skills found in each sector? Only partially. A regression analysis<sup>9</sup> that controls for age, education, race, sex, marital status, residence in a metropolitan area, and 22 broad

CHART 2

## Government Employees Work About One Month Less

*Over the course of a calendar year, federal, state, and local government employees work about one month less than private-sector employees.*

	Average Hours Worked in One Year	Hours, Compared to Private Sector	40-Hour Work Weeks, Compared to Private Sector
Private Sector	2,083	—	—
Federal Employees	1,930	153 fewer	3.8 fewer
State and Local Employees	1,896	187 fewer	4.7 fewer

Source: Author’s calculations based on data from the U.S. Department of Labor, Bureau of Labor Statistics, American Time Use Survey, 2003–2010, <http://www.bls.gov/tus/> (accessed August 31, 2012).

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occupational indicator variables reveals that significant differences remain.

After controls, private-sector employees work 2.2 more hours per week than federal workers, and 3.2 more 40-hour weeks per year. Compared to state and local workers, private employees work 2.3 more hours per week and 3.3 more weeks per year. Therefore, the observed differences in work time are likely due in part to differences in public and private employment per se, not merely differences in types of jobs or workers in each sector. Table 1 summarizes the effects of the controls on the comparisons.

It is interesting to note how different controls affect the comparisons. Controlling for occupation shrinks

the differences in work time, but controlling for individual characteristics increases the differences. (Table 1 reports the combined effects.) Put another way, public workers are partially “excused” for working shorter hours given their occupations, but they are especially “guilty” of working too little given their skills and demographic profile.

A control variable not included above is receipt of overtime pay. A recent paper attempted to explain the lower work time reported by state and local workers in the CPS this way: “Public employees, particularly higher level professional employees, have fewer opportunities to work overtime than those who work in the private sector.”<sup>10</sup> The overtime-opportunity theory is

8. Since most teachers are state and local government workers, including them would cause a downward bias of the observed work hours in the state and local category. Future Heritage Foundation research will analyze what can be learned about the teacher work year from the ATUS.

9. The regression technique is ordinary least squares (OLS). For a discussion of using OLS regression with time-use data, see Frazis and Stewart, “How to Think About Time-Use Data.”

10. Jeffrey H. Keefe, “Are New Jersey Public Employees Overpaid?” Economic Policy Institute *Briefing Paper* No. 270, July 30, 2010, p. 1, <http://www.frenchesgrove.org/hypocrisy/nj%20workers.pdf> (accessed September 4, 2012). The quote is perplexing in that educated professionals make up only a small fraction—about 6 percent, based on CPS data—of workers who receive overtime pay.

TABLE 1

### Work Time Differences Before and After Skill and Occupational Controls

*Controls are age, education, race, sex, marital status, residence in a city or suburb, and 22 occupational categories.*

	Typical Work Week (Hours)	
	Before Controls	After Controls
Private Minus Federal	2.6	2.2
Private Minus State and Local	3.3	2.3

	Full Year (Weeks)	
	Before Controls	After Controls
Private Minus Federal	3.8	3.2
Private Minus State and Local	4.7	3.3

Source: Author's calculations based on data from the U.S. Department of Labor, Bureau of Labor Statistics, American Time Use Survey, 2003-2010, <http://www.bls.gov/tus/> (accessed August 31, 2012).

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not directly relevant to this analysis, since the purpose here is to measure work time in the public and private sectors, not to speculate about how much government employees might work if employment policies changed. But it is worth noting that including a control variable for receiving overtime pay makes essentially no difference in the results of the work-time regression. Opportunity for overtime does not account for the public-private disparity in work time.

#### Caveats and Robustness Checks

All of the results presented above require an interpretive caveat. The ATUS measures work *time*, not work effort or work effectiveness. If, for

example, one person works half as long but twice as hard as another person, both people may have equal productivity. How productive a public employee is compared to a private employee during a given hour of work is not something that can be analyzed with the ATUS.

Interpretation aside, the results are robust across alternative methods of data analysis. For example, the main results are based on averaging weekday hours and weekend hours separately, then combining them to estimate total hours. The purpose of separate estimates is to mitigate any effects of one group being interviewed more often on weekends, which would bias the results. Without separate weekday and weekend

estimates, the public-private differences in work hours would be slightly greater than reported here.

A more sophisticated reweighting technique called entropy balancing was employed as an additional robustness check.<sup>11</sup> Rather than calculating weekdays and weekends separately, entropy balancing creates a new set of weights that ensures that all groups in question have exactly the same distribution of interviews across the week. The results were very similar to the simpler method of separating weekdays and weekends.

Finally, the definition of work used in the paper (“work, main job”) excludes “work-related activities,” such as commuting or meeting co-workers in social settings. But using a broader definition of work does not substantially affect the results.

#### Conclusion

According to a detailed “time diary” dataset that measures work wherever and whenever it takes place, government employees work around three fewer hours per week and roughly one less month per year than private-sector workers. Substantial differences in work time persist even after controlling for occupational and skill differences between sectors.

The “underworked” government employee should be of concern to taxpayers who expect private-sector levels of work in the public sector in exchange for private-sector levels of compensation. With several recent studies suggesting an overall compensation premium for public employees,<sup>12</sup> reducing aspects of

11. Jens Hainmueller, “Entropy Balancing for Causal Effects: A Multivariate Reweighting Method to Produce Balanced Samples in Observational Studies,” *Political Analysis*, Vol. 20 (2012), pp. 25-46, <http://www.mit.edu/~jhainm/Paper/eb.pdf> (accessed August 30, 2012).  
 12. See, for example, Justin Falk, “Comparing the Compensation of Federal and Private-Sector Employees,” Congressional Budget Office, January 30, 2012, <http://cbo.gov/doc.cfm?index=12696> (accessed August 30, 2012), and Andrew G. Biggs and Jason Richwine, “The Impact of Act 10 on Public Sector Compensation in Wisconsin,” American Enterprise Institute *Working Paper* No. 2012-02, May 29, 2012, [http://www.aei.org/files/2012/05/30/-biggs-public-sector-pay-in-wisconsin\\_171058470108.pdf](http://www.aei.org/files/2012/05/30/-biggs-public-sector-pay-in-wisconsin_171058470108.pdf) (accessed August 30, 2012).

that premium—such as paid leave—could be part of a larger strategy to shrink the pay gap and save taxpayer money.<sup>13</sup> More generally, work time differences are a reminder to lawmakers that they should ensure that public employees' work time and compensation are generally in line with those of private-sector employees.

—*Jason Richwine, PhD, is Senior Policy Analyst for Empirical Studies in the Domestic Policy Studies Department at The Heritage Foundation.*

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13. For related reform ideas, see James Sherk, "Opportunity, Parity, Choice: A Labor Agenda for the 112th Congress," Heritage Foundation *Special Report* No. 96, July 14, 2011, pp. 9–16, <http://www.heritage.org/research/reports/2011/07/opportunity-parity-choice-a-labor-agenda-for-the-112th-congress>.

**Montgomery County Personnel Study:  
Net Annual Work Hours**

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## Meeting Purpose

- Present CountyStat's analysis of net annual work hours and the factors (i.e. FMLA, Administrative Leave, etc.) that are contributing to continued reduction in net annual work hours among Montgomery County employees.

## Why is this important?

- By increasing employees' net annual work hours the County can increase government productivity and better manage costs either through the reduction of overtime hours or through more effective management of the number of full time personnel.

## Ultimate Goal

- Develop a set of processes or policy recommendations which, if implemented, will positively impact the number of net annual hours worked by County employees.



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## How do we measure success?

- One year from now, the Executive Departments will show an increase in average net annual work hours.
- Going forward, all departments will have a clear understanding of the factors affecting their employees' net annual work hours.

## Next steps (after this meeting):

- We will seek your suggestions about particular areas or causes that lead to decreases in the Net Annual Work Hours in your respective departments.



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# Agenda

- Meeting Purpose and Goals
- Methodology
- Leave Patterns
- Availability Findings
- Examples of Areas for Future Analysis
- Detailed Departmental Findings



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# Methodology

**CountyStat analyzed 26 pay periods in CY2011 for all Executive Departments with more than 10 qualifying employees**

## Definitions

- **Net Annual Work Hours:**
  - Average number of hours an employee was on regular pay
- **Annual Work Hours:**
  - 2,080 for non-MCFRS employees
  - 2,496 hours for MCFRS employees
- **Availability:**
  - $\text{Net Annual Work Hours} / \text{Annual Work Hours}$
- **Qualifying Employees:**
  - Full-time, permanent County employees
  - Employees who earned regular pay in at least one of the first three and one of the final three pay periods of the year

**\*\*Leave Use** was calculated using all CY11 leave hours used by full-time employees in the given department. This may include hours from employees who are not included in the net annual work hours totals.



# Methodology: Leave Categories

Leave Category	Payroll Code(s) Included
Annual	MCG Annual Lv FMLA Taken
	MCG Annual Lv Parental Taken
	MCG Annual Lv Unscheduled Taken
	MCG Annual Taken
PTO	MCG PTO FMLA Taken
	MCG PTO Leave Payout
	MCG PTO Parental Lv Taken
	MCG PTO Taken
Sick	MCG Sick FMLA Taken
	MCG Sick Lv Parental Taken
	MCG Sick Lv Unscheduled Taken
	MCG Sick Taken
	MCG Donated Sick Lv FMLA Taken
	MCG Donated Sick Lv Taken
	MCG Family Sick Leave FMLA Taken
	MCG Family Sick Leave Taken

Leave Category	Payroll Code(s) Included
Admin	MCG Admin Leave Bone Marrow
	MCG Admin Leave FOP
	MCG Admin Leave OPT
	MCG Admin Leave Pay
	MCG Admin Lv Fire
Disability	MCG Admin Lv Injury
	MCG Admin Lv Injury FMLA
	MCG Disability Pay
Personal	MCG Disability Pay FMLA
	MCG Personal Day FMLA Taken
	MCG Personal Day Parental Lv Taken
Religious	MCG Personal Day Taken
	MCG Religious Leave Taken
Furlough	MCG Furlough Taken
Military	MCG Military Leave

Sub-Category	Payroll Code(s) Included
Parental	MCG Annual Lv Parental Taken
	MCG Sick Lv Parental Taken
	MCG PTO Parental Lv Taken
	MCG Personal Day Parental Lv Taken

Sub-Category	Payroll Code(s) Included
FMLA	MCG Annual Lv FMLA Taken
	MCG Sick FMLA Taken
	MCG Admin Lv Injury FMLA
	MCG Disability Pay FMLA
	MCG PTO FMLA Taken
	MCG Donated Sick Lv FMLA Taken
	MCG Personal Day FMLA Taken
	MCG Family Sick Leave FMLA Taken

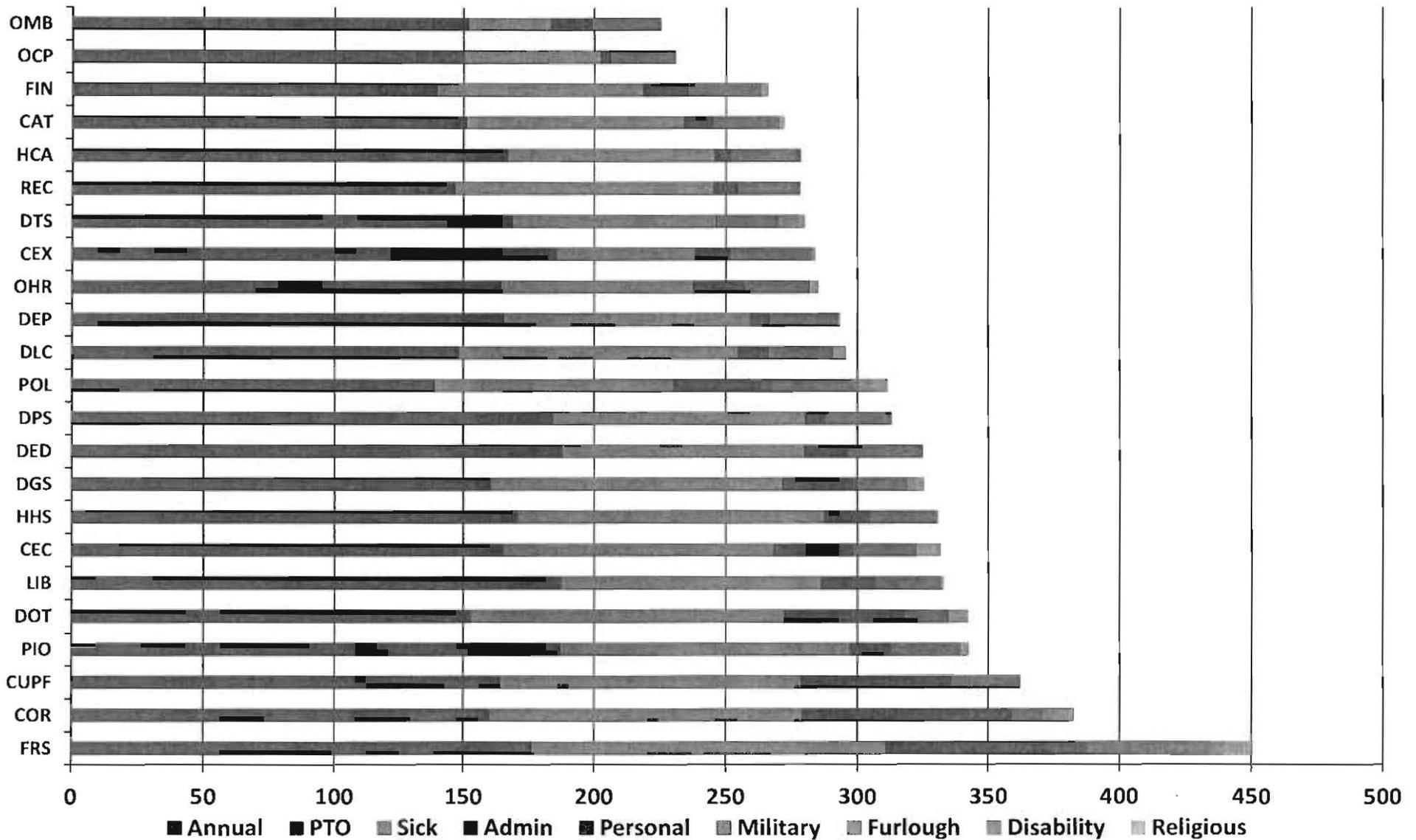


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# County Leave Patterns

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# Average Leave Use per Employee by Department



\*\*Leave hours were calculated using all leave hours recorded for each department in CY11; may include hours from employees who were not employed by MC for the whole year



Net Annual Work Hours



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# Departmental Percentage of Leave Use by Category (1 of 2)

	CAT	CEC	CEX	COR	CUPF	DED	DEP	DGS	DLC	DOT	DPS	DTS	FIN
Annual	53%	48%	47%	41%	43%	52%	51%	48%	48%	43%	54%	48%	44%
PTO	2%	2%	19%	0%	2%	6%	5%	2%	1%	1%	5%	12%	9%
Sick	30%	31%	18%	31%	31%	28%	32%	34%	35%	35%	30%	28%	30%
Admin	4%	9%	5%	21%	15%	5%	3%	9%	4%	13%	2%	0%	6%
Personal	9%	7%	11%	3%	7%	9%	9%	6%	8%	5%	8%	8%	11%
Military	0%	0%	0%	3%	0%	0%	0%	1%	0%	0%	0%	3%	0%
Furlough	1%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	1%	1%
Disability	0%	3%	0%	0%	0%	0%	0%	1%	1%	1%	0%	0%	0%
Religious	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

FMLA	4%	0%	1%	10%	2%	3%	1%	2%	2%	7%	4%	1%	0%
Parental	0%	1%	0%	2%	0%	0%	1%	0%	2%	0%	0%	0%	1%
Other	96%	99%	99%	88%	98%	96%	99%	97%	96%	93%	96%	99%	99%

Note: FMLA and Parental leave are subsets of the regular leave categories  
Percentages might not equal 100% due to rounding



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# Departmental Percentage of Leave Use by Category (2 of 2)

	FRS	HCA	HHS	LIB	OCP	OHR	OMB	PIO	POL	REC
Annual	39%	54%	50%	50%	65%	47%	61%	53%	44%	49%
PTO*	0%	6%	2%	6%	0%	11%	6%	1%	0%	4%
Sick	30%	28%	35%	30%	23%	26%	14%	32%	29%	35%
Admin	17%	2%	5%	6%	2%	7%	7%	5%	12%	3%
Personal	10%	9%	8%	7%	11%	9%	12%	8%	11%	8%
Military	1%	0%	0%	0%	0%	0%	0%	0%	2%	0%
Furlough	1%	0%	0%	0%	0%	1%	0%	1%	1%	0%
Disability	2%	0%	0%	0%	0%	0%	0%	0%	1%	0%
Religious	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

FMLA	1%	2%	2%	3%	0%	2%	11%	5%	1%	5%
Parental	4%	0%	1%	0%	0%	0%	2%	0%	0%	0%
Other	95%	98%	97%	97%	100%	98%	87%	95%	98%	95%

Note: FMLA and Parental leave are subsets of the regular leave categories  
Percentages might not equal 100% due to rounding

Net Annual Work Hours



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# Total Departmental Leave Use by Category (1 of 2)

	CAT	CEC	CEX	COR	CUPF	DED	DEP	DGS	DLC	DOT	DPS	DTS
<b>Annual</b>	8,865	6,896	1,721	73,030	3450	3,713	20,419	59,699	32,330	157,641	26,709	16,818
<b>PTO</b>	359	217	695	696	160	421	2,092	2,091	448	5,270	2,248	4,109
<b>Sick</b>	5,032	4,411	681	54,777	2515	2,016	12,728	42,703	23,454	127,253	14,986	9,619
<b>Admin</b>	698	1,312	172	36,928	1264	367	1,005	10,981	2,577	48,893	1,223	18
<b>Personal</b>	1,518	1,032	406	5,553	579	629	3,560	7,385	5,480	17,662	3,882	2,904
<b>Military</b>	0	0	0	4,512	0	0	0	1,200	0	0	0	960
<b>Furlough</b>	130	1	16	824	0	6	90	344	317	2,606	121	276
<b>Disability</b>	0	400	0	16	0	0	0	876	744	5,443	0	0
<b>Religious</b>	0	0	0	0	0	0	0	0	0	97	0	0

<b>FMLA</b>	691	35	22	17,206	142	248	307	2,915	1,365	23,945	2,042	415
<b>Parental</b>	0	136	0	3,172	0	14	248	528	1,390	1,472	72	12
<b>Other</b>	15,911	14,099	3,669	155,958	7825	6,891	39,338	121,837	64,190	339,450	47,056	34,277

Note: FMLA and Parental leave are subsets of the regular leave categories

\*\*Leave hours were calculated using all leave hours recorded for each department in CY11; may include hours from employees who were not employed by MC for the whole year



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# Total Departmental Leave Use by Category (2 of 2)

	FIN	FRS	HCA	HHS	LIB	OCP	OHR	OMB	PIO	POL	REC
<b>Annual</b>	9,526	196,767	9,717	128,514	26,554	2,254	7,503	3,312	8,434	206,201	12,273
<b>PTO</b>	1,926	1,241	1,133	4,687	3,234	0	1,707	336	179	1,479	923
<b>Sick</b>	6,463	151,312	5,109	90,847	15,662	782	4,088	753	5,051	136,075	8,894
<b>Admin</b>	1,385	86,480	431	13,632	3,374	57	1,100	375	720	56,083	803
<b>Personal</b>	2,307	52,838	1,698	19,664	3,945	369	1,376	632	1,230	49,470	2,112
<b>Military</b>	0	5,210	0	44	0	0	0	0	0	7,650	0
<b>Furlough</b>	203	4,506	6	693	105	0	155	0	144	5,358	49
<b>Disability</b>	0	7,900	0	0	0	0	24	0	0	3,579	0
<b>Religious</b>	0	0	0	17	108	0	28	0	8	0	0

<b>FMLA</b>	107	6,058	314	6,393	1,505	1	296	603	830	5,882	1,261
<b>Parental</b>	200	19,729	45	1,881	73	0	4	108	20	1,481	28
<b>Other</b>	21,502	480,466	17,734	249,824	51,404	3,461	15,680	4,697	14,915	458,532	23,765

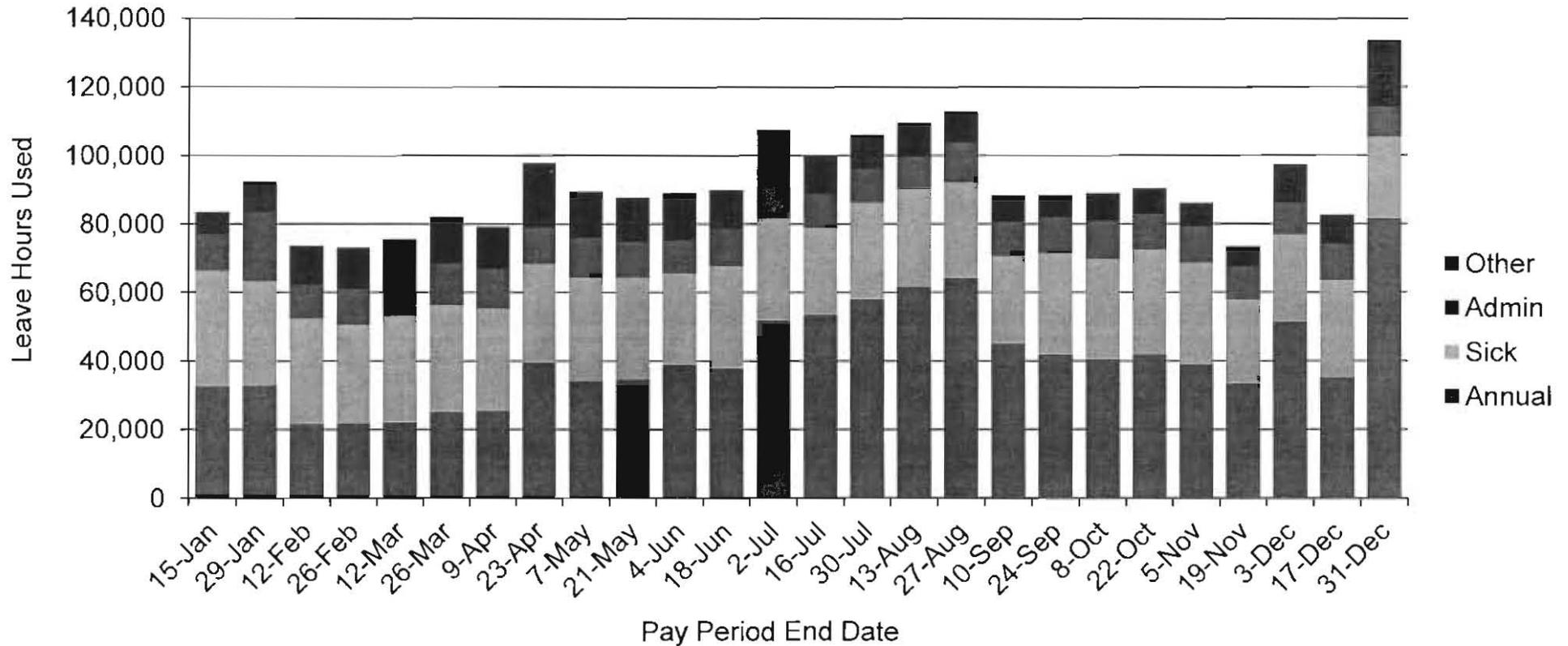
Note: FMLA and Parental leave are subsets of the regular leave categories

\*\*Leave hours were calculated using all leave hours recorded for each department in CY11; may include hours from employees who were not employed by MC for the whole year



# Leave Usage by Pay Period

## (Full-time employees from all County departments)



**Total leave usage peaked in the summer (July and August) and at the end of the year (December).**



*Other includes Military, Disability, Furlough, Religious, and Personal leave categories.*

Net Annual Work Hours



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# County Workforce Availability Findings

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## Net Annual Work Hours and Availability Rates (Department Averages)

Department	Employees*	Average Annual Hours	Availability
OCP	15	1819	87%
CEX	13	1814	87%
FIN	82	1802	87%
OHR	56	1790	86%
DED	22	1782	86%
HCA	65	1779	86%
CAT	61	1778	85%
DLC	221	1777	85%
REC	90	1773	85%
DTS	124	1771	85%
OMB	24	1757	84%
DOT	1,066	1739	84%

Department	Employees*	Average Annual Hours	Availability
DPS	157	1758	84%
DEP	136	1757	84%
CEC	43	1742	84%
LIB	159	1734	83%
HHS	780	1728	83%
DGS	385	1728	83%
PIO	46	1726	83%
POL	1,495	1712	82%
CUPF	22	1700	82%
COR	461	1690	81%
FRS	1,124	1928	77%

**On average, County employees are available 84% of the total potential hours, not including holidays and personal leave days**



*\*Includes employees who reported regular pay hours in at least one of the first 3 and one of the last 3 pay periods of the year. Only departments with 10 or more qualifying employees are included in the chart.*

Net Annual Work Hours

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CountyStat

## Percent of Employees above the Average Availability Rate (By department)

Department	Employees Included*	% of Employees Above 84%
CEX	13	85%
OCP	15	80%
FIN	82	73%
HCA	65	72%
REC	90	69%
DED	22	68%
OMB	24	67%
OHR	56	67%
DLC	221	63%
CAT	61	62%
DOT	1,066	57%
DTS	124	57%

Department	Employees Included*	% of Employees Above 84%
DEP	136	55%
DPS	157	54%
DGS	385	52%
CUPF	22	50%
PIO	46	50%
POL	1,495	48%
HHS	780	47%
CEC	43	47%
LIB	159	45%
COR	461	44%
FRS	1,124	24%

**On average, 58% of County employees are available more than 84% of their potential availability**



*\*Includes employees who reported regular pay hours in at least one of the first 3 and one of the last 3 pay periods of the year. Only departments with 10 or more qualifying employees are included in the chart.*

# Net Annual Work Hour Quartiles (by Department)

	Employees Included	Quartile		
		25%	50%	75%
FRS*	1,124	1800	1972	2092
LIB	159	1663	1733	1817
COR	461	1645	1737	1810
CEC	43	1656	1745	1815
POL	1,495	1650	1746	1819
HHS	780	1675	1746	1810
PIO	46	1636	1749	1815
CUPF	22	1668	1756	1809
DGS	385	1661	1760	1838
DPS	157	1700	1764	1832
DEP	136	1678	1771	1836
DTS	124	1718	1774	1852
DOT	1,066	1677	1776	1856
OMB	24	1749	1782	1832
CAT	61	1731	1782	1822
HCA	65	1740	1788	1832
OHR	56	1738	1789	1843
DED	22	1740	1791	1833
DLC	221	1716	1800	1869
OCP	15	1769	1804	1884
FIN	82	1748	1804	1865
REC	90	1717	1810	1877
CEX	13	1759	1837	1874



\*Based on 2496 total hours.

Net Annual Work Hours

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## Availability by Quartile (Average)

- **CountyStat calculated quartiles based on net annual work hours for all eligible employees in the 22 Executive Department offices considered in this study**
  
- **The following chart shows:**
  1. The availability rate for each Executive Department quartile
    - 25% of employees had an availability rate below 81%;
    - 50% had a rate below 85%;
    - 75% had a rate below 88%;
    - 25% had a rate *above* 88%.
  2. The percent of employees in each department who are below the accompanying availability rate
    - Example: 92% of FRS employees were available less than 88% of the time.



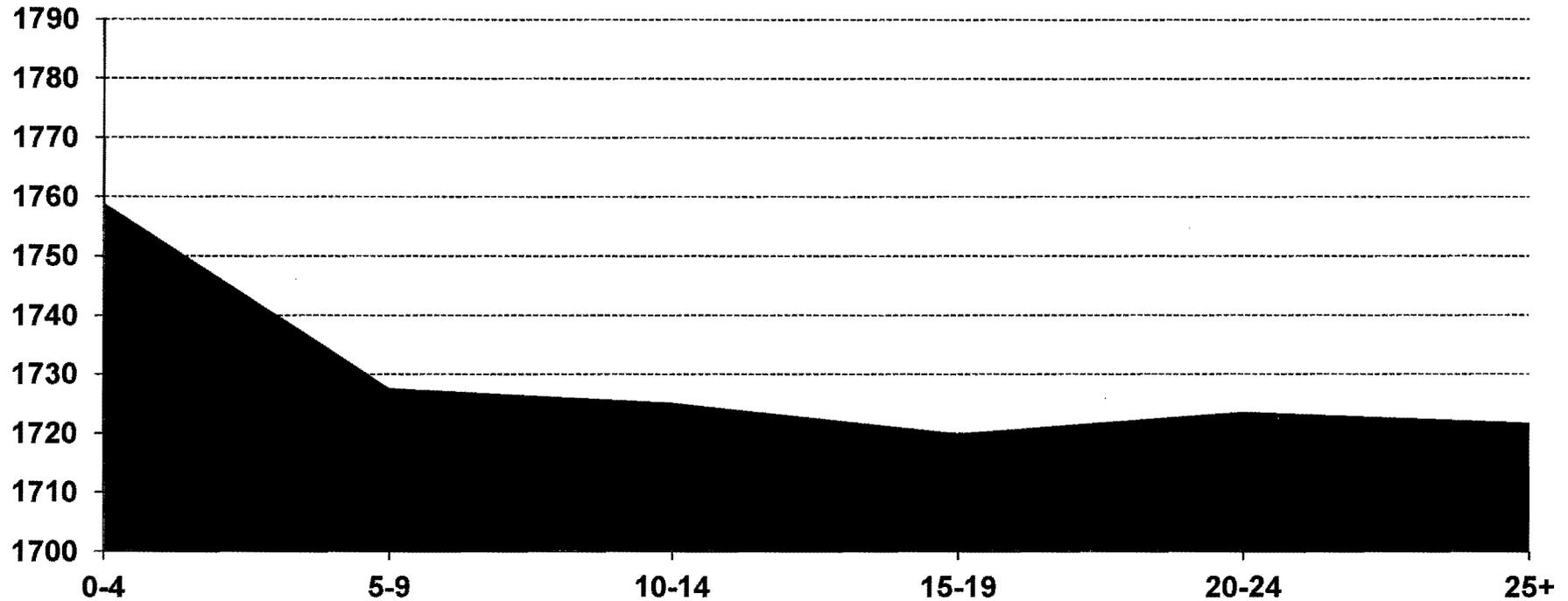
# Availability by Quartile (Department comparisons)

Quartile:	25%	50%	75%	-
Availability:	<81%	<85%	<88%	>88%
FRS	56%	78%	92%	8%
CUPF	27%	50%	86%	14%
LIB	30%	57%	81%	19%
COR	32%	58%	81%	19%
CEC	31%	57%	81%	19%
POL	30%	54%	79%	21%
HHS	25%	56%	81%	19%
PIO	35%	57%	85%	15%
DGS	28%	50%	73%	27%
DPS	19%	49%	76%	24%
DEP	24%	47%	73%	27%
DTS	15%	45%	71%	29%
DOT	25%	45%	69%	31%
OMB	13%	42%	75%	25%
CAT	10%	41%	80%	20%
HCA	9%	31%	75%	25%
OHR	5%	38%	73%	27%
DED	0%	36%	77%	23%
DLC	14%	38%	63%	37%
OCP	7%	20%	60%	40%
FIN	10%	29%	61%	39%
REC	14%	34%	61%	39%
CEX	8%	31%	46%	54%



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# Net Annual Work Hours by Years of Service

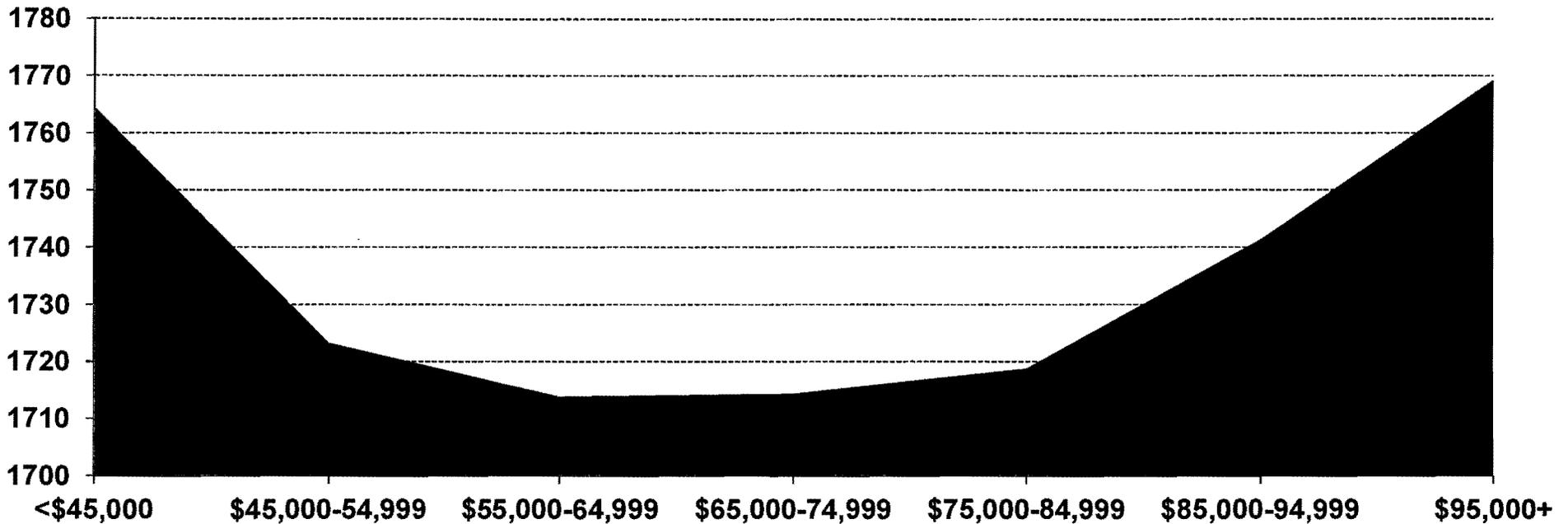


Years of Service	Net Annual Work Hours (Average)	Difference (in hours)	Employees Included
0-4	1758.90		1495
5-9	1727.66	-31.24	1433
10-14	1725.18	-2.48	1046
15-19	1719.95	-5.23	635
20-24	1723.60	+3.65	820
25+	1721.74	-1.86	596



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# Net Annual Work Hours by Salary



Base Salary Range	Net Annual Work Hours (Average)	Difference (in hours)	Employees Included
<\$45,000	1764.49		706
\$45,000-54,999	1723.28	-41.21	926
\$55,000-64,999	1713.81	-9.46	1060
\$65,000-74,999	1714.34	+0.52	877
\$75,000-84,999	1718.76	+4.42	814
\$85,000-94,999	1741.34	+22.58	714
\$95,000+	1769.28	+27.95	658



# Net Annual Work Hours by Bargaining Unit

	Average Annual Hours	Availability
IAFF (firefighters)	1944.61*	77.91%
FOP (police)	1719.85	82.45%
MCGEO – OPT	1721.53	82.53%
MCGEO – SLT	1731.96	83.03%
Non-Union	1795.21	86.06%



\*Firefighters regular work hours are based on 2496 annual hours due to 24-hour scheduling.

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# Examples of Areas for Future Analysis



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# Examples of Areas for Future Analysis

**CountyStat identified four areas that departments can focus on to have an immediate impact workforce availability**

## Areas for future analysis:

- **FMLA usage**
- **Use of Administrative Leave**
- **Cross-departmental position comparison**
- **Relationship between availability and overtime use**



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# Overview of FMLA and Parental Leave

- **PARENTAL LEAVE:** An eligible employee's use of accrued paid leave, unpaid leave, or compensatory time granted at the time of the birth or adoption of a child.
  
- **FMLA LEAVE:** An eligible employee may use for any of the following reasons:
  - a) to care for the employee's newborn daughter or son, newly adopted daughter or son, or newly placed foster daughter or son within the first 12 months after the birth, adoption, or placement of the daughter or son;
  - b) to arrange for the adoption or foster care placement of a daughter or son with the employee;
  - c) to obtain prenatal care for the employee;
  - d) to care for, which may include providing psychological comfort and reassurance, or arrange care for, any of the following with a serious health condition: the employee's spouse, domestic partner, parent, daughter, or son;
  - e) because of the employee's serious health condition that makes the employee unable to perform the essential functions of the employee's position;
  - f) to handle an exigency arising from the employee's spouse, domestic partner, parent, daughter, or son serving on active duty under a call or order or being notified of an impending call or order to active duty in support of a contingency operation as described in Section 19-11(b); or
  - g) to care for the employee's spouse, domestic partner, parent, daughter, son, or next of kin on active duty with a serious injury or illness incurred in the line of duty as described in Section 19-11(a).



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## FMLA – Details

- Differs from Parental Leave which can only be used within the first year of birth/adoption
- FMLA use is currently approved by an individual's supervisor, using a standard application which requires sign off by a medical doctor.
  - Starting July 1, this process will be centralized through a single County office.
- Employees may use FMLA in conjunction with annual, sick, donated sick, personal, or PTO leave hours, and may claim up to 480 FMLA hours in one calendar year.
- FMLA may be requested for a single block of time, or for intermittent use within a given time period.



# FMLA – Analysis

- **918 employees used FMLA in CY11**
  - 78,912 = total hours used (equivalent of 38 workyears)
  - 86 = average hours used per person
  - 22 = average hours used per occurrence (single pay period)
- **Highest-Using (by percent of employees using FMLA) Departments:**

	Total FMLA Hours	Percent of Total Department Leave	Total Employees	Percent of Employees Using FMLA
DOCR	17,492	10.12%	461	30.80%
REC	1,261	5.03%	96	26.67%
PIO	830	5.27%	46	23.91%
DOT	23,945	6.56%	1,066	20.92%
OMB	603	11.15%	24	16.67%

**19% of FMLA users were pay grade 15; together they accounted for 29% of FMLA hours used by Executive Office departments**

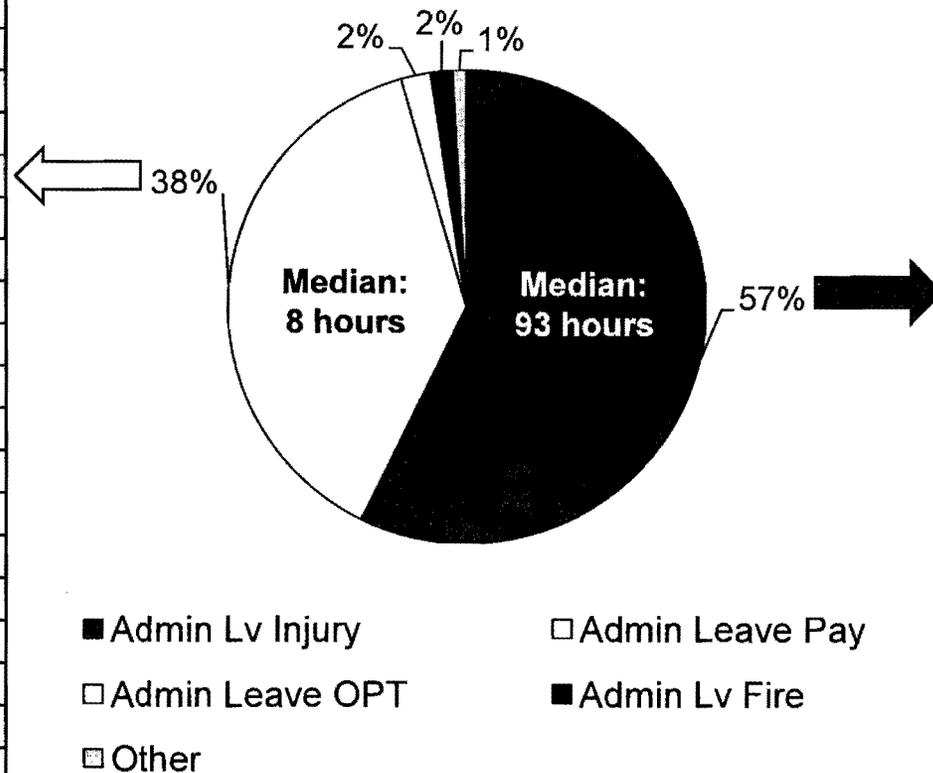


# Administrative Leave – Analysis

4,821 employees used administrative leave for a total of 282,500 hours (equivalent of 136 workyears) (median = 13 hours)

Dept	Count	Avg Hours
DTS	60	20
POL	860	16
DED	25	15
PIO	34	14
COR	272	14
FRS	459	13
DGS	195	12
REC	42	12
DLC	81	12
OMB	25	10
DOT	654	9
FIN	88	9
CAT	60	8
HHS	1063	8
CEC	20	7
HCA	44	7
OHR	58	7
CEX	26	7
LIB	149	7
DEP	107	6
OCP	8	6
DPS	136	4

Administrative Leave: Use by Category



Dept	Avg Hours	Count
CEC	380	3
OHR	344	1
COR	319	72
FRS	295	238
DOT	272	138
DGS	203	30
DLC	196	13
POL	143	126
LIB	124	6
DPS	75	1
HHS	47	9
REC	16	1



\*Other: Admin Lv Injury FMLA, Admin Leave FOP, Admin Leave Bone Marrow

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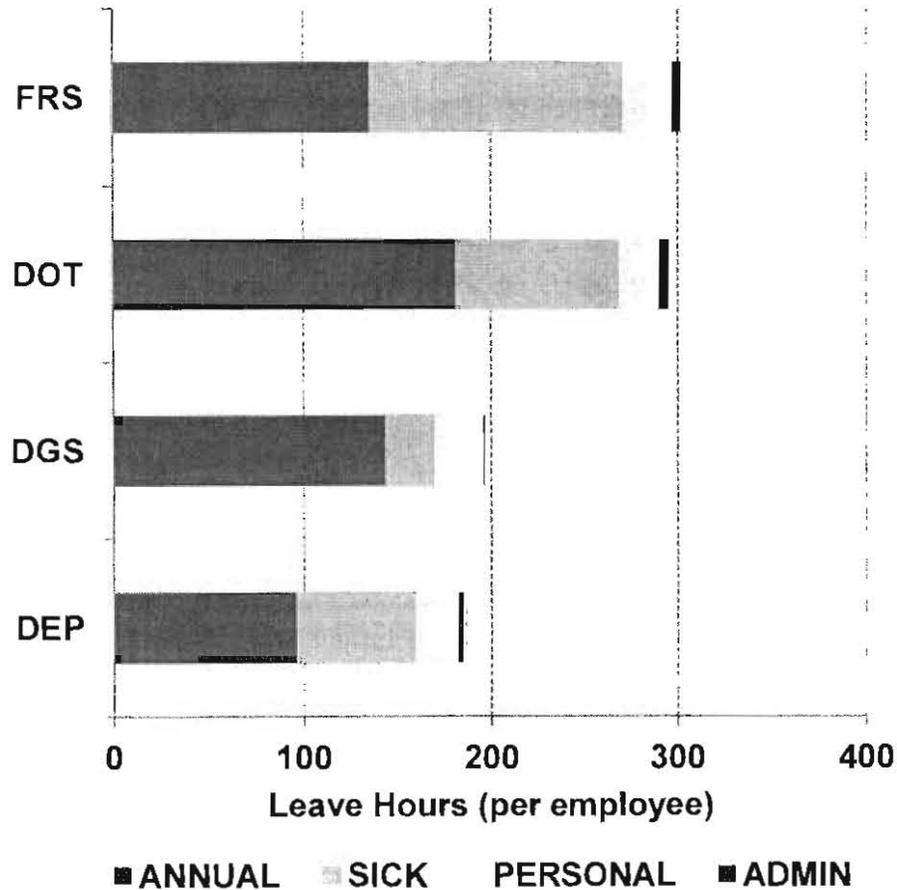
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## **Administrative Leave – Injury**

- **Administrative leave may be granted to an employee “who is injured on the job, until the Risk Management determines if the employee is eligible for disability leave”**
- **5% of Executive Department employees placed on Admin Leave – Injury went on to receive Disability Pay in CY11**
  - Those who did not go on to receive Disability Pay were on Admin Leave Injury for an average of 233 hours (nearly 6 workweeks)



# Cross-Department Position Comparison (Engineers)



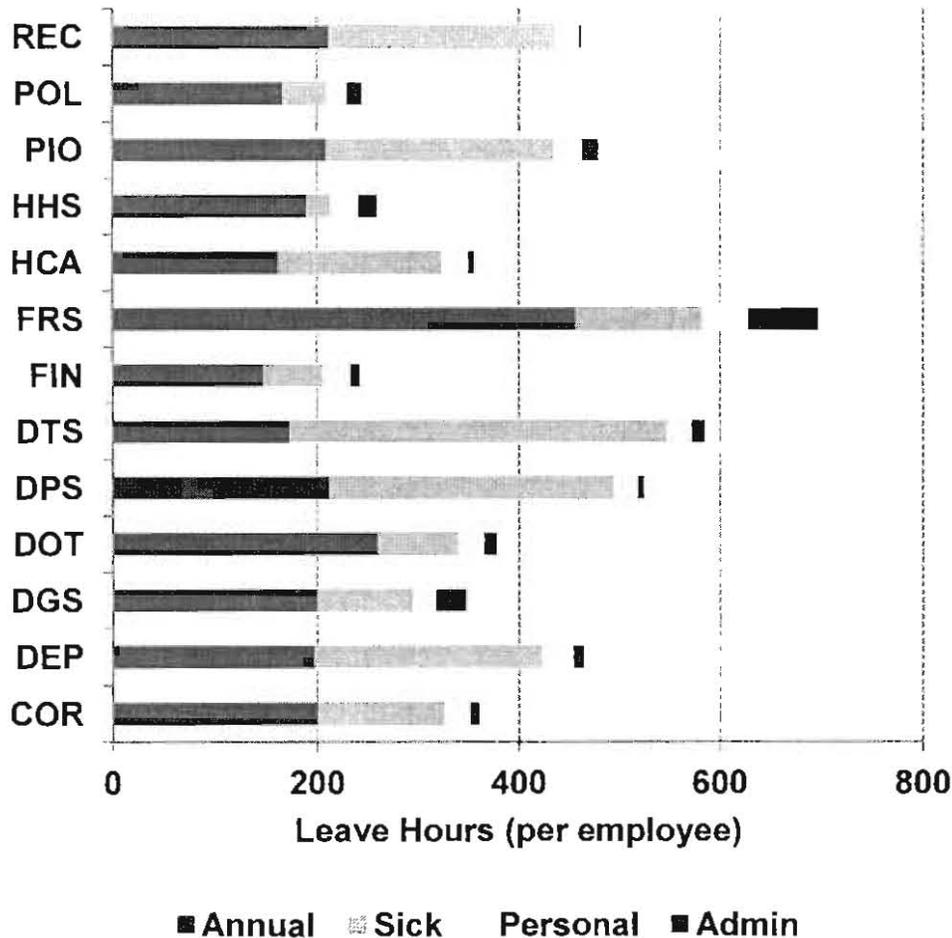
- Four executive departments employ a total of 39 people in the position of Engineer, at a pay grade of 22 or 25.
- Average available hours and total leave hours differ by nearly 100 from one department to another.

	Average Hours	Employees Included
DEP	1841	9
DGS	1861	2
DOT	1746	24
FRS	1744	4



(17)

# Cross-Department Position Comparison (Office Coordinators)



	Average Hours	Employees Included
COR	1684	9
DEP	1736	5
DGS	1757	12
DOT	1705	14
DPS	1670	4
DTS	1740	3
FIN	1776	19
FRS	1698	9
HCA	1767	7
HHS	1716	49
PIO	1672	5
POL	1726	26
REC	1668	5



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# Net Work Hours and Use of Overtime (1 of 2)

## (by Department)

- Full-time employees earn 80 hours of standard pay each pay period\*. That pay may be earned through net work hours (hours on regular pay), leave hours (vacation, sick, administrative, etc), or a combination of the two.
- There is currently no minimum threshold for the number of hours an individual must work in order to be eligible for overtime pay in a pay period.
  - For example, in one pay period, an employee may work 30 hours (regular pay), charge 50 hours to annual leave, and earn 5 hours of overtime pay.
- The following chart shows the total overtime hours (*in italics*) and percent of overtime hours (**in bold**) earned in CY11 by employees in 6 high-using departments. “Hours of regular pay” is the number of net work (regular pay) hours an employee earned in the pay period when the overtime hours were earned.
  - Example: 15,592 overtime hours were earned by DGS employees who worked at least 72 regular pay hours in the same pay period.



\*Firefighters earn 96 hours  
Net Annual Work Hours

# Net Work Hours and Use of Overtime (2 of 2) (by Department)

Hours of Regular Pay	DLC	DGS	COR	DOT	POL	FRS
72+	76%	57%	72%	74%	56%	74%
	11,088	15,592	47,172	220,793	121,416	261,964
64-71	2%	3%	12%	14%	22%	1%
	301	964	8,004	40,772	48,856	4,413
56-63	1%	2%	6%	6%	11%	4%
	208	607	3,676	18,613	23,530	14,953
48-55	14%	23%	3%	3%	5%	5%
	2,002	6,239	1,801	7,791	10,388	17,655
40-47	2%	4%	4%	2%	4%	10%
	286	1,071	2,681	7,174	7,650	36,436
<40	5%	11%	3%	1%	3%	5%
	735	3,091	1,954	3,961	6,589	17,787



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# **Detailed Departmental Findings**

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## **Departments With More Than 50 Employees**

# Detailed Departmental Availability: Corrections

Position	Average Hours	Availability	Count
Correctional Officer	1667.17	80%	232
Public Safety Supervisor	1677.21	81%	65
Nurse	1684.35	81%	19
Resident Supervisor	1700.87	82%	25
Specialist	1710.02	82%	12
Other (15 positions)	1717.50	83%	53
Correctional Specialist	1731.16	83%	44
MLS Manager	1731.30	83%	10

**The departmental average availability is 1690.23 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: County Attorney

Position	Average Hours	Availability	Count
Other (9 positions)	1769.08	85%	29
Attorney	1783.78	86%	32

**The departmental average availability is 1777.96 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



(5)

# Detailed Departmental Availability: Environmental Protection

Position	Average Hours	Availability	Count
Manager	1724.18	83%	14
Specialist	1738.69	84%	48
Other (14 positions)	1750.07	84%	36
Inspector	1776.19	85%	13
MLS Manager	1785.33	86%	12
Engineer	1815.31	87%	13

**The departmental average availability is 1756.79 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: Finance

Position	Average Hours	Availability	Count
Office Coordinator	1776.11	85%	19
Specialist	1777.16	85%	21
Accountant/Auditor	1793.52	86%	13
Other (5 positions)	1796.38	86%	13
MLS Manager	1810.84	87%	16

**The departmental average availability is 1802.29 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



# Detailed Departmental Availability: General Services

Position	Average Hours	Availability	Count
Public Service Craftsworker	1652.92	79%	12
Crew Chief	1681.29	81%	17
Mechanic	1688.86	81%	118
Supply Technician	1690.48	81%	24
Engineer	1724.88	83%	10
Printing Technician	1732.90	83%	10
Other (22 positions)	1746.95	84%	75
Specialist	1750.68	84%	40
Office Coordinator	1757.17	84%	12
Service Worker	1777.15	85%	21
MLS Manager	1807.80	87%	20
Manager	1816.41	87%	26

**The departmental average availability is 1728.24 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



# Detailed Departmental Availability: Health and Human Services

Position	Average Hours	Availability	Count
Nurse	1624.00	78%	140
Therapist	1694.61	81%	81
Office Coordinator	1716.30	83%	49
Community Services Aide	1720.34	83%	79
Specialist	1725.27	83%	85
Caseworker	1733.52	83%	196
Aide	1733.69	83%	73
Manager	1740.21	84%	62
Social Worker	1749.66	84%	196
MLS Manager	1759.25	85%	57
Accountant/Auditor	1761.86	85%	11
Environmental Health Specialist	1777.07	85%	17
Assistant	1785.95	86%	11
Other (20 positions)	1792.93	86%	52
Income Assistance Program Supervisor	1939.40	93%	15

**The departmental average availability is 1728.32 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



# Detailed Departmental Availability: Housing & Community Affairs

Position	Average Hours	Availability	Count
Other (9 positions)	1772.81	85%	31
Specialist	1774.33	85%	15
Senior Inspector	1808.11	87%	19

**The departmental average availability is 1778.74 hours.**



*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*

Net Annual Work Hours



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# Detailed Departmental Availability: Human Resources

Position	Average Hours	Availability	Count
Specialist	1781.02	86%	33
Other (11 positions)	1783.94	86%	12
MLS Manager	1826.75	88%	11

**The departmental average availability is 1789.87 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



CS

# Detailed Departmental Availability: Libraries

Position	Average Hours	Availability	Count
Library Associate	1700.57	82%	14
Librarian	1709.39	82%	52
Other (8 positions)	1716.25	83%	22
Library Assistant Supervisor	1750.45	84%	17
Assistant	1764.44	85%	34
MLS Manager	1770.55	85%	20

**The departmental average availability is 1733.95 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: Liquor Control

Job	Average Hours	Availability	Count
Liquor Store Manager	1716.22	83%	45
Warehouse Worker	1760.21	85%	71
Specialist	1777.83	85%	10
Clerk	1778.35	85%	27
Other (13 positions)	1792.25	86%	44
Equipment Operator	1823.09	88%	11
Supply Technician	1857.15	89%	13

**The departmental average availability is 1776.50 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: Permitting Services

Position	Average Hours	Availability	Count
Technician	1704.30	82%	28
Specialist	1757.41	84%	53
Other (6 positions)	1758.95	85%	10
Inspector	1767.81	85%	52
MLS Manager	1825.89	88%	14

**The departmental average availability is 1757.59 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: Police

Position	Average Hours	Availability	Count
Public Safety Communications Specialist	1568.34	75%	69
Public Safety Communications Supervisor/Manager	1673.77	80%	11
Technician	1676.47	81%	26
Aide	1720.38	83%	48
Office Coordinator	1725.54	83%	26
Public Safety Supervisor	1726.17	83%	180
Specialist	1727.23	83%	36
Other (16 positions)	1728.55	83%	61
Police Officer	1731.43	83%	913
Police Assistant	1734.32	83%	37
Security Officer	1741.04	84%	35
MLS Manager	1785.52	86%	11

**The departmental average availability is 1712.31 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



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# Detailed Departmental Availability: Recreation

Position	Average Hours	Availability	Count
Specialist	1750.57	84%	62
Other (8 positions)	1785.81	86%	17
Supervisor	1846.05	89%	11

**The departmental average availability is 1773.27 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



(W)

# Detailed Departmental Availability: Technology Services

Position	Average Hours	Availability	Count
Senior Information Technology Specialist	1764.82	85%	61
MLS Manager	1780.88	86%	20
Other (12 positions)	1787.13	86%	34
Specialist	1779.19	86%	9

**The departmental average availability is 1771.20 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*



# Detailed Departmental Availability: Transportation

Position	Average Hours	Availability	Count
Public Service Worker	1484.00	71%	17
Construction Codes Representative	1644.55	79%	10
Public Service Craftworker	1658.74	80%	21
Office Coordinator	1704.79	82%	14
Equipment Operator	1708.59	82%	129
Transit Coordinator	1743.12	84%	30
Work Force Leader	1745.31	84%	21
Driver	1748.27	84%	539
Aide	1749.46	84%	12
Work Force Leader Supervisor	1752.35	84%	10
Specialist	1753.64	84%	50
Engineer	1755.96	84%	26
MLS Manager	1759.35	85%	39
Other (28 positions)	1769.51	85%	66
Manager	1774.92	85%	18
Inspector	1784.56	86%	31
Technician	1785.97	86%	37
Transit Supervisor	1827.97	88%	17

**The departmental average availability is 1738.82 hours.**

*\*Only positions with 10 or more qualifying employees are shown. All other employees are included in the "Other" category.*

