

BILL NO. 37-78

Introduced: July 18, 1978
Enacted: November 17, 1978
Executive: Returned Unsigned
Effective: February 14, 1979

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND
July Legislative Session 1978

Chapter 39

AN ACT to amend Chapter 33, title "Personnel," Article IV, title "Employer-Employee Relations Act," Montgomery County Code 1972, as amended, by adding a new Section 33-74 thereto, title "Cost-of-Living Adjustment" to provide for an annual cost-of-living adjustment for all County employees whose salaries are determined by the uniform salary plan.

Be It Enacted by the County Council for Montgomery County, Maryland, that -

Sec. 1. Declaration of Policy and Legislative Intent.

It is hereby declared to be the policy of Montgomery County, Maryland, to provide for and ensure in an orderly, uniform manner as part of its budgetary process, guaranteed annual wage adjustments to merit system employees of the County Government to compensate them for increases in area-wide consumer prices and other cost-of-living factors.

It is further declared to be the public policy of Montgomery County, Maryland, that such wage increases shall be a least 75% of the change in the Consumer Price Index for All Urban Consumers for the Washington, D.C. Area; and such increases are recognized as necessary to recruit and retain a high quality work force and prevent inflation and other invidious economic factors from undermining the compensation paid to members of its work force.

Sec. 2. Chapter 33, title "Personnel," Article IV, title "Employer-Employee Relations Act," of the Montgomery County Code 1972, as amended, is

hereby amended by adding a new Section 33-74 thereto, title "Cost-of-Living Adjustment" to read as follows:

33-74. Cost-of-Living Adjustment.

The County Executive shall provide as a part of the annual recommended operating budget for the County Government sufficient funds to implement the cost-of-living adjustment required by this Section. The Council shall accord one of the highest priorities to the full funding of the cost-of-living adjustment, shall fund fully the 75% of Consumer Price Index cost-of-living adjustment unless reasons are given for not doing so, and shall make a finding in the budget resolution as to the extent to which full funding is achieved. Unless otherwise provided in the approved budget resolution which includes a finding that implementation of the full amount of the adjustment would necessitate substantial lay-offs of personnel or result in other widespread hardship to County Government employees, the Chief Administrative Officer shall adjust the uniform salary plan for all classified employees of the Montgomery County government beginning the first pay period on or after July 1 of each year by an amount not less than seventy-five percent (75%) of the change in the Consumer Price Index for All Urban Consumers in the Washington, D. C. Area, although pay grades 1 through 4 of the uniform salary plan to which minimum wage and certain seasonal employees are assigned will be adjusted by changes in the minimum wage rates and salary surveys to determine the competitiveness of such salaries. The percentage change shall be based on the latest published index for the calendar year preceding the fiscal year in which the adjustment is to be paid.

The Chief Administrative Officer may adjust the uniform salary plan in excess of the base percentage of seventy-five percent (75%), provided funds are available and approved by the County Council for such purpose.

Sec. 3. Severability.

The provisions of this Act are severable and if any provision, clause, sentence, section, word or part thereof is held illegal, invalid, or unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words, or parts of the Act or their application to other persons.

or circumstances. It is hereby declared to be the legislative intent that this Act would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, section, word or part thereof had not been included therein, and if the person or circumstances to which the Act or part thereof is inapplicable had been specifically exempted therefrom.

Sec. 4. Effective date.

This Act shall take effect on the 76th day following the date on which it becomes law.

Approved:

Elizabeth P. Scull
President, Montgomery County Council

11/20/78
Date

Approved:

Returned Unsigned
County Executive

11/29/78

(Bill became law 14 days
after enactment on Dec. 1, 1978)

ATTEST:

Annar P. Spatis
Secretary of the County Council

11/29/78
Date