



FY22 Operating Budget: Committee Consent Calendar

GO Committee #5J

April 26, 2021

Department/Office: Merit System Protection Board (MSPB)

Staff: Carlos Camacho, Legislative Analyst

1. Staff Recommendation

Council staff recommends approval of the FY22 Merit System Protection Board Budget as submitted by the County Executive.

2. Summary of FY22 Recommended Budget

The County Executive’s complete FY22 Recommended Operating Budget for MSPB is attached at ©1-2.

Board of Elections	FY21 Approved	FY22 CE Recommended	Change from FY21 Approved
General Fund	\$259,378	\$267,921	\$8,543
Personnel Costs	\$244,874 1.5 FTEs	\$253,417 1.5 FTEs	3.5% --
Operating Costs	\$14,504	\$14,504	--
Total Expenditures (All Funds)	\$259,378 1.5 FTEs	\$267,921 1.5 FTEs	3.3% --

3. Summary of FY22 Recommended Changes/Adjustments

General Fund - No Service Impact

- Increase of \$8,123 for FY21 and FY22 compensation adjustments.
- Increase of \$390 to cover the anticipated inflation that is added to MSPB member’s annual salary per Section 33-4(b) of the County Code.

4. Suggested Discussion Items for Fall Overview Session

- According to Montgomery County Personnel Regulations, COMCOR 33.07.01.09, MSPB must have a consultant conduct an audit of the County’s classification and compensation plan and procedures at least once every five years.¹ The last audit was completed in FY18 meaning the next audit is due in FY23 and as such the Council may consider adding funds to the FY23 MSPB budget for completion of the audit.

¹ https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_comcor/0-0-0-80905

- The Council may also choose to discuss the increase of appeals filed with MSPB due to grievances regarding COVID-19 differential pay and the outcomes of those appeals.

5. Racial Equity and Social Justice

- The main way MSPB promotes racial equity and social justice is through hearing individual employee and applicant appeals of disciplinary actions, grievances, and hiring and promotion decisions. MSPB also conducts periodic audits to ensure the equity and integrity of the classification and compensation program, reviews proposed changes to the merit system law and regulations, has approval authority over certain personnel transactions, and may investigate, audit, or study any aspect of the merit system.
- The FY18 Classification and Compensation Audit Report did analyze pay equity based on age, gender, race, and national origin. The report identified possible pay inequities based on race and national origin.² The next audit that is due in FY23 could look at trends with regards to these potential pay equity issues to allow the County to better understand whether progress has been made in reducing inequities, and if not, provide recommendations on how the County can close any identified pay gaps.
- The MSPB, either through its annual report or periodic audits, may also consider analyzing data regarding employee appeals based on race and ethnicity to identify if race or ethnicity is a predictor of appeals outcomes.

6. Attachments

- FY22 Merit System Protection Board Recommended Budget ©1-2

² Tenter, C., CPS HR Consulting. (2018, February 6). Montgomery County Merit System Protection Board Classification and Compensation Audit Report, 49-55. Retrieved from <https://www.montgomerycountymd.gov/MSPB/Resources/Files/PDF/MSPBAuditReport.pdf>



Merit System Protection Board

RECOMMENDED FY22 BUDGET

\$267,921

FULL TIME EQUIVALENTS

1.50

✻ BRUCE MARTIN, EXECUTIVE DIRECTOR

MISSION STATEMENT

The mission of the Merit System Protection Board is to oversee the merit system and protect employee and job applicant rights guaranteed under the merit system law.

BUDGET OVERVIEW

The total recommended FY22 Operating Budget for the Merit System Protection Board is \$267,921, an increase of \$8,543 or 3.29 percent from the FY21 Approved Budget of \$259,378. Personnel Costs comprise 94.59 percent of the budget for no full-time position(s) and two part-time position(s), and a total of 1.50 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 5.41 percent of the FY22 budget.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following is emphasized:

✦ **Effective, Sustainable Government**

PROGRAM CONTACTS

Contact Bruce Martin of the Merit System Protection Board at 240.777.6622 or Philip Weeda of the Office of Management and Budget at 240.777.2780 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

✻ Merit System Oversight

The Merit System Protection Board oversees the merit system and protects employee and job applicant rights guaranteed under the merit system; conducts or authorizes periodic audits of the classification system; comments on any proposed changes in the merit system law or regulations; reviews the need to amend laws or regulations, and adjudicates appeals from grievances, removals, demotions, and suspensions upon request of the employee. Personnel Management Oversight includes investigations, audits, or special studies of all aspects of the merit system. The Board also publishes an annual report.

BUDGET SUMMARY

	Actual FY20	Budget FY21	Estimate FY21	Recommended FY22	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	198,769	192,396	195,622	201,451	4.7 %
Employee Benefits	51,599	52,478	50,710	51,966	-1.0 %
County General Fund Personnel Costs	250,368	244,874	246,332	253,417	3.5 %
Operating Expenses	8,347	14,504	13,562	14,504	---
County General Fund Expenditures	258,715	259,378	259,894	267,921	3.3 %
PERSONNEL					
Full-Time	0	0	0	0	---
Part-Time	2	2	2	2	---
FTEs	1.50	1.50	1.50	1.50	---

FY22 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY21 ORIGINAL APPROPRIATION	259,378	1.50
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY21 Compensation Adjustment	5,879	0.00
Increase Cost: FY22 Compensation Adjustment	2,244	0.00
Increase Cost: Stipends - Boards, Commission Supplements [Merit System Oversight]	390	0.00
Increase Cost: Adjustment [Merit System Oversight]	30	0.00
FY22 RECOMMENDED	267,921	1.50

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY22	FY23	FY24	FY25	FY26	FY27
COUNTY GENERAL FUND						
EXPENDITURES						
FY22 Recommended	268	268	268	268	268	268
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	4	4	4	4	4
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	268	272	272	272	272	272