

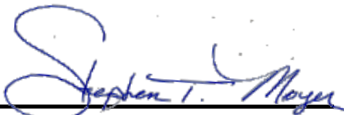



Executive Directive



Title: Contract Employment	Executive Directive Number: ADM.050.0022
Related MD Statute/Regulations: State Personnel and Pensions Article §13-101, Annotated Code of Maryland COMAR 17.04.13	Supersedes: DCD#50-22, dated October 3, 2005 and DPDS.050.0045, dated January 23, 2008
Related ACA Standards: N/A	Responsible Authority:  Executive Director, Human Resources Services Division  Director, Financial Services
Related MCCA Standards: N/A	Effective Date: July 31, 2015 Number of Pages: 3


Stephen T. Moyer
Secretary


William G. Stewart
Deputy Secretary
for Administration

.01 Purpose.

This directive establishes procedures for the Department of Public Safety and Correctional Services (Department), governing contractual employment and assigns responsibility for administration and tracking of employment contracts.

.02 Scope.

This directive applies to all Department employment contracts.

.03 Policy.

All employment contracts shall be administered and tracked to ensure compliance with the terms of contracts.

.04 Definitions.

A. In this directive, the following term has the meaning indicated.

B. Term Defined.

- (1) "Contractual employee" means an individual who has a temporary employee-employer relationship with the Department under the terms of an employment contract.

.05 Responsibility.

- A. The Executive Director of Human Resources Services Division (HRSD) shall be responsible for the preparation, coordination, approval and tracking of all employment contracts for the Department and shall ensure that:
- (1) An employment contract does not exceed one year in duration;
 - (2) The effective date of contract is calculated to allow for the contract's preparation and approval, usually a minimum of thirty (30) days.
 - (3) No contractual employee is hired unless:
 - (a) There is a budgeted contractual position; and
 - (b) The employment contract does not exceed the amount budgeted for that position.
 - (4) No contractual employee in a unit is allowed to work or be paid for work unless there is a valid employment contract in effect at the time of employment.
 - (5) Recruitment and selection of contract employees complies with the standards that govern merit system employees;
 - (6) The rate of pay for contractual employees is consistent with the appropriate salary schedule:
 - (a) Except under §.05A(6)(b) of this directive, the rate of pay for a contractual employee will generally be consistent with the standard salary schedule (hourly rates).
 - (b) If a change in the standard salary schedule is implemented during the fiscal year (but not at the beginning of the fiscal year), the rate of pay for a contractual employee will generally be consistent with the salary schedule which was in effect at the beginning of the fiscal year, unless a different rate is approved by the Director of Finance, or a designee.
- B. The contract monitor, designated in the contract, shall be responsible to administer and enforce contract terms for the duration of the contract, ensuring that no contract employee is authorized to work and may not be paid for hours worked:
- (1) Prior to the beginning date of the contract period;
 - (2) Subsequent to the ending date of the contract period; or
 - (3) After the contract maximum amount has been reached.
- C. The Unit Fiscal Officer shall:
- (1) Monitor bi-weekly payments on all employment contracts to ensure that the actual payments to the contractual employee do not exceed the related contract maximum, and that no payment is processed after the contract end date; and

- (2) Notify the supervisor in advance when an employee's contract total maximum is likely to be exceeded before the end of the contract period.
- D. The employee providing contractual services to the Department shall be required to record hours worked that reflects a 14-day workweek beginning on a Wednesday on a time report to be submitted to the designated supervisor.
- E. The contractual employee's designated supervisor is:
 - (1) Responsible for verifying and approving the contractual employee's time report before submitting the report to the appropriate payroll unit for processing.
 - (2) Authorized to approve overtime for the contractual employee provided that:
 - (a) Overtime hours are required to handle an existing workload within the unit and all overtime hours have been approved, in advance, by appropriate supervisory personnel;
 - (b) The employee's contract total maximum salary is not exceeded;
 - (c) The contractual employee is paid at time and one half for all hours worked over 40 hours per week; and
 - (d) Adequate supervision of the employee is provided for all overtime hours worked, including evenings and weekends.
- E. The appropriate payroll unit shall process the contractual payroll and maintain the time reports on file for three years or until all audit requirements have been fulfilled, whichever is longer.

.06 Attachments/Links.

There are no attachments or links to this directive.

.07 History.

- A. This directive rescinds DCD#50-22 titled Time Records for Personal Service Contracts issued October 3, 2005 and DPDS.050.0045 titled Contract Employment and issued July 23, 2010.
- B. This directive supersedes provisions of any prior existing Department or unit communication with which it may be in conflict.

.08 Correctional Facility Distribution Code.

- A
- S Human Resources
Fiscal Unit