

**RESOLUTION NUMBER 607**

**RESOLUTION AMENDING THE DORCHESTER COUNTY  
PERSONNEL RULES AND REGULATIONS – ACTING CAPACITY**

**WHEREAS**, the Dorchester County Personnel Rules and Regulations were adopted on June 18, 1996 pursuant to Article 25, Section 3 of the Annotated Code of Maryland; and

**WHEREAS**, Section I. L of said Personnel Rules and Regulations provides that these Rules and Regulations may be amended by resolution of the County Council following the introduction of an amendment and the posting of said amendment in each department for ten (10) days before taking action so as to provide an opportunity for an employee comment. Posting took place and comments were taken under consideration.

**NOW, THEREFORE, BE IT RESOLVED THAT** Section III. Classification and Compensation Plan, C. is hereby amended to read:

**C. 6. Acting Capacity Temporary Pay Adjustment**

The County recognizes that unusual circumstances may require an employee in one classification and salary grade assume the duties and responsibilities of a job in a higher classification and salary grade. This policy does not include employees that are covering for co-workers during normal vacation and/or sick leave periods which do not exceed thirty (30) work days. This policy is not intended to replace normal promotional or reclassification procedures. This policy is not intended for employees that may assume some duties of a higher classification.

- A. County employees may be assigned, for a limited period, to perform work of a higher classification due to events such as, but not limited to, vacancies not filled, FMLA absences, unexpected employee absence and unexpected special projects. Due to such events the Department Head recognizes the need to have the work completed and in consultation with the County Manager and Human Resources Director determines that assigning another employee to perform the essential duties of the job are required to accomplish the work.
- B. All employees of the Department must be notified of the opportunity for temporary Acting Capacity assignment. Employee would be required to notify Department Head of interest.
- C. Department Head or their designee (must be at Supervisor level) shall have an abbreviated interview with each interested employee. This must be substantive enough to determine if employee has required skills necessary to perform the job duties and responsibilities.
- D. Department Head would make tentative selection and before informing the employee would complete the required form(s) and forward to Human Resources. Dorchester County Acting Capacity Request Form

- E. Any employee approved for a temporary pay adjustment working in an acting capacity must perform the higher classification duties for a period of thirty (30) work days. This excludes vacation, sick leave, personal leave, FMLA, Workers Compensation, holiday hours, jury leave, bereavement leave and any other paid leave or leave without pay. On the sixteenth (16<sup>th</sup>) day the higher classification pay will be effective. The employee will be placed at the salary of the higher classification and remain in their current step. If the employee is working in an acting capacity during a time when County employees receive a COLA and/or step the employee will receive the COLA and/or step. When the acting capacity is over the employee will retain the COLA and/or step when they revert back to their salary grade and step prior to assuming the Acting Capacity.
- F. Acting Capacity assignments shall not be longer than six (6) months unless a request is sent to Human Resources to seek additional time not more than three (3) months. There must be justification included as to why the Acting Capacity must be approved for more than the original six (6) months.
- G. All Acting Capacity assignments shall be ended as soon as possible.

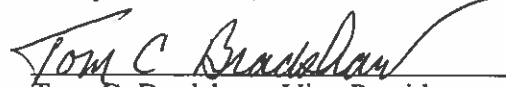
**HAVING BEEN DULY POSTED** in all County Departments, this resolution to amend Section III. Classification and Compensation Plan, C. of the Dorchester County Personnel Rules and Regulations is hereby passed and adopted this 7<sup>th</sup> day of November, 2017, which be effective as of this date.

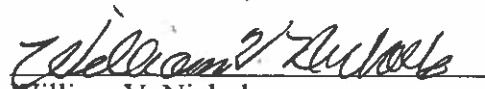
ATTEST:


  
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 Jeremy Goldman, County Manager


The County Council  
 of Dorchester County

*absent*  
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 Ricky C. Travers, President

  
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 Tom C. Bradshaw, Vice President

  
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 William V. Nichols

  
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 Rick M. Price

  
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 Don B. Satterfield