REQUESTED ACTION:
The Commission is asked to approve changes to the following seasonal/intermittent pay schedules as a result of the changes to Maryland State minimum wage rates. Attached are:

a) Seasonal/Intermittent Pay Schedule (Attachment 1)
b) Specialty Services Pay Schedule (Attachment 2)
c) Tennis Instructor Pay Schedule (Attachment 3)
d) Maryland Minimum Wage and Overtime Law (Attachment 4)
e) M-NCPPC Resolution 20-30 Approval of the Increase in Minimum Wage Effective 1/1/21 (Attachment 5)

BACKGROUND:
In March 2019, the Commission was briefed regarding potential changes to the State of Maryland’s minimum wage as the result of House Bill 166 (“Fight for Fifteen”). On May 13, 2019 the bill passed and set into motion a number of changes to the minimum wage. As an Agency of the State, the Commission is required to follow state law and must reflect these same changes. Effective January 1, 2021, the minimum wage for the State of Maryland will increase to $11.75 per hour. The following chart shows the State’s progression from January 1, 2021 to January 1, 2025 of the minimum wage per hour:

<table>
<thead>
<tr>
<th>Date</th>
<th>Minimum Wage</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1, 2021</td>
<td>$11.75</td>
</tr>
<tr>
<td>January 1, 2022</td>
<td>$12.50</td>
</tr>
<tr>
<td>January 1, 2023</td>
<td>$13.25</td>
</tr>
<tr>
<td>January 1, 2024</td>
<td>$14.00</td>
</tr>
<tr>
<td>January 1, 2025</td>
<td>$15.00</td>
</tr>
</tbody>
</table>

This change in minimum wage will affect the three seasonal/intermittent pay schedules referenced above. The rates will increase wages for a small number of employees who are at the lowest levels of each of the pay schedules and for those employees on the revenue share pay plan whose pay rates are tied to the agency’s minimum wage.

The budget impact of these changes are as follows:

- We estimate that for FY21, a maximum of 260 seasonal employees will be affected, 256 in Prince George’s County and 4 in Montgomery County. Based upon budget projections in early 2019, the total budget impact anticipated for FY21 was $51,989. Based upon COVID-19’s effect on the current workforce, the actual numbers of seasonal employees impacted may be even less.
- For the FY22 budget, the minimum wage will be increased to $12.50 per hour. Departments have forecast this impact to be $403,493 for Prince George’s County and $33,566 for Montgomery County. These figures are based upon a 2,900-seasonal employee workforce for Prince George’s County and a 400-seasonal employee workforce for Montgomery County.
### Seasonal/Intermittent Pay Schedule

**Effective First Full Pay Period in October 2017**

**Change in State Minimum Wage Effective 1/1/2021**

<table>
<thead>
<tr>
<th>GRADE</th>
<th>MINIMUM</th>
<th>MIDPOINT</th>
<th>MAXIMUM</th>
<th>INSTRUCTORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PFA II - 921</td>
<td>N02 $11.7500</td>
<td>$12.6750</td>
<td>$13.8000</td>
<td></td>
</tr>
<tr>
<td>PFA III - 922</td>
<td>N03 $11.7500</td>
<td>$13.0500</td>
<td>$14.5000</td>
<td></td>
</tr>
<tr>
<td>PFMA I - 930</td>
<td>N04 $11.7500</td>
<td>$13.4500</td>
<td>$15.2500</td>
<td>951 II</td>
</tr>
<tr>
<td>PFMA II - 931</td>
<td>N05 $11.7500</td>
<td>$13.8500</td>
<td>$16.0000</td>
<td></td>
</tr>
<tr>
<td>Call Center/Help Desk Rep 1 - 936</td>
<td>N08 $11.8000</td>
<td>$14.7250</td>
<td>$17.6500</td>
<td>952 III</td>
</tr>
<tr>
<td>Not in Use</td>
<td>N10 $11.8500</td>
<td>$15.2000</td>
<td>$18.5500</td>
<td></td>
</tr>
<tr>
<td>Intern I/Playground Manager</td>
<td>N11 $12.2800</td>
<td>$15.6567</td>
<td>$20.0500</td>
<td>953 IV</td>
</tr>
<tr>
<td>Call Center/Help Desk Rep 2 - 937</td>
<td>N12 $13.2626</td>
<td>$16.9100</td>
<td>$21.6500</td>
<td></td>
</tr>
<tr>
<td>Intern II/Call Center-Help Desk Rep 3 (938)</td>
<td>N13 $15.2514</td>
<td>$19.4455</td>
<td>$23.6396</td>
<td>954 V</td>
</tr>
<tr>
<td>Not in Use</td>
<td>N14 $17.5395</td>
<td>$22.3632</td>
<td>$27.1869</td>
<td></td>
</tr>
<tr>
<td>Camp Health Supv - 941</td>
<td>N15 $20.1711</td>
<td>$25.7179</td>
<td>$31.2647</td>
<td>955 VI</td>
</tr>
</tbody>
</table>

Updated to include Call Center/Help Desk specs approved 11/9/2017
### Specialty Services Pay Schedule

**Effective First Full Pay Period in October 2017**

**Change in State Minimum Wage Effective 1/1/2021**

<table>
<thead>
<tr>
<th>GRADE</th>
<th>MINIMUM</th>
<th>MIDPOINT</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spec Svcs Instructor 1</td>
<td>$11.7500</td>
<td>$16.7500</td>
<td>$22.0000</td>
</tr>
<tr>
<td>Spec Svcs Instructor 2</td>
<td>$12.5000</td>
<td>$19.7500</td>
<td>$27.0000</td>
</tr>
<tr>
<td>Spec Svcs Instructor 3</td>
<td>$15.5000</td>
<td>$24.7500</td>
<td>$34.0000</td>
</tr>
<tr>
<td>Spec Svcs Instructor 4</td>
<td>$21.0000</td>
<td>$33.5000</td>
<td>$46.0000</td>
</tr>
<tr>
<td>Spec Svcs Instructor 5*</td>
<td>$34.0000</td>
<td>$54.5000</td>
<td>$75.0000</td>
</tr>
</tbody>
</table>

* Use of Specialty Services Instructor 5 requires Human Resources Director approval
<table>
<thead>
<tr>
<th>GRADE</th>
<th>MINIMUM</th>
<th>MIDPOINT</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis Instructor 1</td>
<td>TI1</td>
<td>$11.7500</td>
<td>$14.2750</td>
</tr>
<tr>
<td>Tennis Instructor 2</td>
<td>TI2</td>
<td>$15.0000</td>
<td>$19.0000</td>
</tr>
<tr>
<td>Tennis Instructor 3</td>
<td>TI3</td>
<td>$20.0000</td>
<td>$27.0000</td>
</tr>
<tr>
<td>Tennis Instructor 4</td>
<td>TI4</td>
<td>$32.0000</td>
<td>$36.0000</td>
</tr>
</tbody>
</table>
Minimum Wage and Overtime Law

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage

Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than $30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least $3.63 per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

Overtime

Most employees must be paid 1.5 times their usual hourly rate for all work over 40 hrs. per week. Exceptions:

- Bowling establishments, and institutions providing on-premise care (other than hospitals) to the sick, the aged, or individuals with disabilities for all work over 48 hrs. per week
- Agricultural workers for all work over 60 hrs. per week

Exemptions

Minimum Wage and Overtime Exemptions:
- Immediate family member of the employer
- Certain agricultural employees
- Executives, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salespersons
- Commissioned employees
- Employees enrolled as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises grossing less than $400,000 annually
- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Only Exemptions (must earn the State Minimum Wage Rate):
- Taxicab drivers
- Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks
- Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Seasonal amusement and recreational establishments that meet certain criteria

For more information or to file a complaint contact:

Maryland Department of Labor
Division of Labor and Industry—Employment Standards Service
1100 North Eutaw Street, Room 607
Baltimore, MD 21201
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
E-mail: dldliefuemploymentstandards-dllr@maryland.gov

Minimum Wage Rates

Employers with 15 or more employees:

$11.00
Effective 1/1/20
Scheduled 1/1/21
$11.75
Scheduled 1/1/22
$12.50
Scheduled 1/1/22

Employers with 14 or fewer employees:

$11.00
Effective 1/1/20
$11.60
Scheduled 1/1/21
$12.20
Scheduled 1/1/22

Montgomery Co. & Prince Georges Co.:
Different minimum wage rates are in effect. Employers in these counties are required to post the applicable rate information.

Maryland Minimum Wage and Overtime Law

Employers are required by law to post this information. Pay records must be kept for 3 years on or about the place of work. Penalties are prescribed for violations of the law.
M-NCPPC Resolution 20-30

RESOLUTION

APPROVAL OF THE
INCREASE IN MINIMUM WAGE EFFECTIVE 1/1/21

WHEREAS, the State of Maryland enacted House Bill 166 ("Fight for Fifteen") on May 13, 2019 which changes the minimum wage from $11.00 per hour to $11.75 per hour effective January 1, 2021; and

WHEREAS, the Commission is a State Agency and must follow state minimum wage law; and

WHEREAS, the last rate adjustment to the Seasonal/Intermittent Pay Schedule, Specialty Services Pay Schedule, Tennis Instructor Pay Schedule, and the Revenue Sharing Pay Plan was the first full pay period of October 2017.

NOW THEREFORE, BE IT RESOLVED that the Commission hereby adopts the new minimum wage pay rate of $11.75 per hour effective January 1, 2021 for all Seasonal/Intermittent employees assigned to the Seasonal/Intermittent, Tennis Instructor, Specialty Services, and Revenue sharing Pay Plans; and

BE IT FURTHER RESOLVED that the Commission does hereby authorize the Executive Director to take action as may be necessary to implement this Resolution.
CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 20-30, adopted by The Maryland-National Capital Park and Planning Commission on the motion of Commissioner ______, seconded by Commissioner ________, with Commissioners ______________, ______________________, __________________, ________________, at its regular meeting held on Wednesday, December, _________, 2020, in ___________________, Maryland.

_____________________________________
Asuntha Chiang-Smith
Executive Director

Reviewed and Approved for Legal Sufficiency:

Debra S. Borden
Deputy General Counsel
Office of the General Counsel