



**Committee:** Directly to Council  
**Committee Review:** N/A  
**Staff:** Christine Wellons, Senior Legislative Attorney  
**Purpose:** Final action – vote expected

**CORRECTED**  
AGENDA ITEM#5F  
March 15, 2022  
**Action**

## SUBJECT

Executive Regulation 14-21, Adding an Official Holiday

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Introduction and Action on a Resolution to approve Executive Regulation 14-21.
- With the permission of the GO Chair, this resolution did not have a worksession before the GO Committee.

## DESCRIPTION/ISSUE

- This regulation is reviewed by the Council pursuant to Method (1). A regulation proposed under this method is not adopted until the Council approves it.
- The regulation would amend the personnel regulations to add Juneteenth as an official holiday that the County observes. County employees who are subject to COMCOR Section 33.07.01.24 (e.g., unrepresented employees) would receive paid leave on Juneteenth.

## SUMMARY OF KEY DISCUSSION POINTS

- N/A

### This report contains:

	Pages
Executive's transmission memo	©1
ER 14-21 (clean)	©2
ER 14-21 (showing changes)	©5
Fiscal Impact Statement	©8
Proposed Resolution Approving ER 14-21	©10

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OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich  
*County Executive*

MEMORANDUM

January 27, 2022

TO: Gabe Albornoz, President  
Montgomery County Council

FROM: Marc Elrich, County Executive 

SUBJECT: Executive Regulation No. 14-21, Amendment to the Montgomery County  
Personnel Regulations --- Adding an Official Holiday

I am transmitting to you Executive Regulation No. 14-21 which amends Section 24 of the Montgomery County Personnel Regulations to add Juneteenth as a new Official Holiday to the list of paid holidays that the County recognizes and observes.

This proposed regulation is being promulgated by the Office of Human Resources (OHR), under Method 1 of Section 2A-15 of the Montgomery County Code. Executive Regulation No. 14-21 was advertised in the Montgomery County Register during the period October 1, 2021 through October 31, 2021, but no comments were received.

If you have any questions or would like additional information, please contact Darryl Gorman, Senior Advisor, Office of Human Resources, Executive Office Building, 101 Monroe Street, 7<sup>th</sup> Floor, Rockville, Maryland 20850, (240-777-5026)

Enclosures

cc: Nancy Navarro, Chair, Government Operations and Fiscal Policy Committee



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Adding an Official Holiday	Number 14-21
Originating Department Office of Human Resources	Effective Date

## ADDING AN OFFICIAL HOLIDAY

Issued by: County Executive  
COMCOR 33.07.01

Authority: Montgomery County Code Section 33-7(b)

Supersedes: Executive Regulation 16-13, in part  
Council Review Method (1) Under Code Section 2A-15  
Register Vol. 38, No. 8

Comment Deadline: October 31, 2021

Effective Date:  
Sunset Date: None

**SUMMARY:** The regulation amends Section 24 of the Montgomery County Personnel Regulations to add a new Official Holiday.

**ADDRESS:** Office of Human Resources  
Executive Office Building  
101 Monroe Street, 7<sup>th</sup> Floor  
Rockville, Maryland 20850

**STAFF CONTACT:** Darryl Gorman, 240-777-5026, or [darryl.gorman@montgomerycountymd.gov](mailto:darryl.gorman@montgomerycountymd.gov)

**BACKGROUND:** The Montgomery County Code authorizes the County Executive to promulgate  
**INFORMATION** personnel regulations.

## COMCOR 33.07.01 PERSONNEL REGULATIONS

### 33.07.01.24 Holiday Leave and Compensation

#### SECTION 24. HOLIDAY LEAVE AND COMPENSATION

\* \* \*



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Adding an Official Holiday	Number 14-21
Originating Department Office of Human Resources	Effective Date

## 24-2. Holidays observed by the County.

\* \* \*

(b) **Official holidays.** The official County holidays are:

- (1) New Year's Day -- January 1 or an alternate holiday designated by the CAO as the official holiday if January 1 falls on a Saturday or Sunday;
- (2) Martin Luther King, Jr. Day -- Third Monday in January;
- (3) Presidents' Day -- Third Monday in February;
- (4) Memorial Day -- Last Monday in May;
- (5) Juneteenth -- June 19 or an alternate holiday designated by the CAO as the official holiday if June 19 falls on a Saturday or Sunday.
- (6) Independence Day -- July 4 or an alternate holiday designated by the CAO as the official holiday if July 4 falls on a Saturday or Sunday;
- (7) Labor Day -- First Monday in September;
- (8) Veterans' Day -- November 11 or an alternate holiday designated by the CAO if November 11 falls on a Saturday or Sunday;
- (9) Thanksgiving Day -- Fourth Thursday in November; and
- (10) Christmas Day -- December 25 or an alternate holiday designated by the CAO as the official holiday if December 25 falls on a Saturday or Sunday.

\* \* \*



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Adding an Official Holiday	Number 14-21
Originating Department Office of Human Resources	Effective Date

Approved as to Form and Legality:

Justin T. Nunley for  
Silvia C. Kinch, Division Chief  
Office of the County Attorney

12/28/2021  
Date

Marc Elrich  
Marc Elrich, County Executive

01/27/2021  
Date



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# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Adding an Official Holiday	Number 14-21
Originating Department Office of Human Resources	Effective Date

Approved as to Form and Legality:

Handwritten signature of Silvia C. Kinch in black ink.

Silvia C. Kinch, Division Chief  
Office of the County Attorney

9/13/2021

Date

Handwritten signature of Marc Elrich in black ink.

Marc Elrich, County Executive

01/27/2021

Date



**Fiscal Impact Statement**  
**Executive Regulation 14-21**  
**Personnel Regulations – Holiday Leave and Compensation – Adding an Official Holiday**

**1. Executive Regulation Summary.**

The regulation amends Section 24 of the Montgomery County Personnel Regulations to add a new Official Holiday (Juneteenth).

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

The Office of Human Resources (OHR) estimates that there is a fiscal impact similar to that of existing official holidays for the proposed changes. Official holidays are recognized by the County and there will be holiday compensation and holiday leave provided by the County for this new official holiday. At this time, only one official holiday is being placed on the list of official holidays.

Over the past four calendar years (2018, 2019, 2020, and 2021 through the pay period ending 10/23/2021), the average total additional personnel costs for a holiday, as compared to a non-holiday day, has been approximately \$1.2 million. This cost does not reflect the total personnel costs on an official holiday, but rather the additional personnel cost above that of a normal day. Calendar year 2020 was heavily impacted by the County’s response to the COVID-19 pandemic; removing this year from the average results in an increase of the average impact from \$1.2 million to \$1.4 million.

<b>Calendar Year</b>	<b>Average Holiday Additional Personnel Cost</b>
2018	\$1,049,972
2019	\$1,058,865
2020*	\$632,596
2021	\$1,974,213 (to date)

\* - Calendar Year 2020 heavily impacted by COVID-19 response

The annual cost to the County for adding an official holiday can be expected to be between \$1.0 and \$2.0 million going forward.

There are no anticipated impacts to County revenue.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

The estimated impact would be between \$1 and \$2 million per year, for a total of \$6 and \$12 million over the next 6 fiscal years for adding one official holiday per year.

There are no anticipated impacts to County revenue over the next 6 fiscal years.

**4. An actuarial analysis through the entire amortization period for each regulation that would affect retiree pension or group insurance costs.**

Not applicable.

**5. Later actions that may affect future revenue and expenditures if the regulation authorizes future spending.**

Other days may be added as official holidays in the future. OHR estimates that there will be a similar fiscal impact for the addition of any future official holidays.

**6. An estimate of the staff time needed to implement the regulation.**

Existing staff in OHR, Finance (MCtime, Payroll and other FIN staff) is sufficient to implement this new official holiday.

**7. An explanation of how the addition of new staff responsibilities would affect other duties.**

It is estimated that staff time to implement this regulation will be equivalent to that required for an existing official holiday and that there will be no negative fiscal impact.

**8. An estimate of costs when an additional appropriation is needed.**

It is estimated that these changes will not require a budgetarily significant increase in staff responsibilities.

**9. A description of any variable that could affect revenue and cost estimates.**

The average estimate of additional personnel cost for adding an official holiday is likely to be impacted by any future increases in personnel costs, such as, compensation increases, adjustments to workforce taxes such as FICA, or the number of personnel staffing worksites during official holidays and receiving holiday pay.

**10. Ranges of revenue or expenditures that are uncertain or difficult to project.**

Not applicable.

**11. If a regulation is likely to have no fiscal impact, why that is the case.**

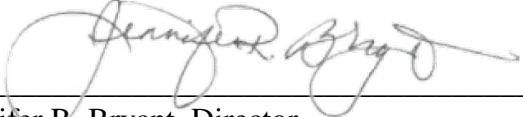
Not applicable.

**12. Other fiscal impacts or comments.**

None.

**13. The following contributed to and concurred with this analysis:**

Darryl Gorman, Office of Human Resources  
Corey Orlosky, Office of Management and Budget

  
\_\_\_\_\_  
Jennifer R. Bryant, Director  
Office of Management and Budget

12/15/21  
\_\_\_\_\_  
Date

Resolution No.: \_\_\_\_\_  
Introduced: March 15, 2022  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY MARYLAND**

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Lead Sponsor: Council President on behalf of the County Executive

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**SUBJECT:** Approval of Executive Regulation 14-21, Adding an Official Holiday

**Background**

1. On January 27, 2022, the County Council received Executive Regulation 14-21, Adding an Official Holiday. The purpose of the regulation is to add Juneteenth as an Official Holiday observed by the County under the Montgomery County Personnel Regulations.
2. The Council must review the regulation under Method (1) of Section 2A-15 of the County Code.
3. Under Method (1), the Council must approve the regulation before it takes effect.
4. Executive Regulation 14-21 was advertised in the October 2021 issue of the Montgomery County Register. The Executive received no comments regarding the regulation.

**Action**

*The County Council for Montgomery County, Maryland approves the following regulation:*

Executive Regulation 14-21, Adding an Official Holiday.

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council