**MARYLAND DEPARMTEN OF HEALTH**

**OFFICE OF HUMAN RESOURCES**

**GUIDELINES (SUMMARY)**

**HIRING SPP CONTRACT AND TEMORARY EMERGENCY EMPLOYEES**

**GENERAL:**

1. All salaries must be negotiated and finalized following these guidelines before a contract/TE appointment is signed and submitted for processing.

2. Positions must be recruited through JobAps prior to an appointment.

3. Any above base salary approved for a Special Payments employee under these guidelines cannot be guaranteed to that employee upon conversion to a permanent position.

4. An above base salary is not automatically authorized to offset benefits.

5. No other qualified candidate, as defined by the job’s specifications, with comparable job-related expertise/abilities who would accept a lower salary level, can be available.

**CRITICAL SALARY NEGOTIATION DETERMING FACTORS:**

1. Applicant’s present salary, if employed.

2. Applicant’s most recent salary, if unemployed.

3. Applicant’s active, valid, competing job offers, if any.

**SALARY OFFER LIMITS UNDER THE GUIDELINES:**

1. Offer should not exceed approximately twelve (12) percent of applicant’s present or more recent salary.

**OR**

2. Offer can meet or closely approximately, but not exceed, applicant’s active, valid, competing job

offer(s).

**SALARY OFFERS EXCEEDING SALARY OFFER LIMITS:**

1. Require demonstrated public solicitation to recruit/attract applicants via JobAps.

**AND**

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2. Requires hiring manager statement as to why additional recruitment/advertising cannot or should not be undertaken.

**AND**

3. Requires the approval of the Program Director, Facility Director, or Local Health Officer prior to signing/submitting contract or processing an TE appointment.

**ABOVE BASE SALARY APPROVAL AUTHORITY LIMITATIONS:**

**WITHIN THE GUIDELINES:**

The hiring manager, with the advice of the field HR Officer; or the, HR Officer in the Office of Human Resources, may authorized a salary level up to and including midpoint (Step 9) of the salary grade provided the amount does not exceed salary offer limits under the guidelines.

**EXEEDING THE GUIDELINES:**

The Program Director, Facility Director, or Local Health Officer, with the advice of the field HR Officer or the HR Officer in the Office of Human Resources, may authorized a salary level within the salary grade that exceeds the guideline salary level when he/she determines that a reasonable effort has been made to recruit/attract applicants; and, determines that such salary offer is in the State’s best interest as it relates to service, quality, efficiency, and/or expediency.

**MARYLAND DEPARTMENT OF HEALTH**

**OFFICE OF HUMAN RESOURCES**

**GUIDELINES**

**HIRING SPP CONTRACT AND TEMPORARY EMERGENCY EMPLOYEES**

***These guidelines apply to all SPP contract hiring. The guidelines are to be applied before any contract is signed or processed. These guidelines also apply to Temporary Emergency (EM) appointments.***

All hiring above base salary must be predicated upon demonstrated recruitment difficulty or exceptional qualifications and a justifiable need to offer such salary amount. When hiring above base salary, no other candidate, qualified as defined by the job specifications, with comparable job-related expertise/abilities who would accept a lower salary level (step) can be available. While we are not compelled to offer the position to the low bidder applicant who may not be the best suited applicant in terms of job related knowledge, skills, abilities/expertise, we are required to justify why any particular above base salary offer is reasonable and should be approved, even if only one applicant is available for the position.

All contract positions must be publicly solicited through JobAps to attract an applicant pool. The hiring manager or designee in determining what is a reasonable salary level for a particular applicant must relate the applicant’s requested salary level/step to their present or most recent salary and/or any valid, active, competing salary offer being entertained by the applicant. It is reasonable that some applicants will not change employers unless they are offered a greater salary than that received at one’s present or most recent employer.

In general, it is reasonable under these guidelines that up to an approximate 12% salary increase over present or more recent salary may be necessary to attract a candidate. Please note that salary as an EM employee is not to be considered as “most recent salary”. It is also recognized under these guidelines that it may be necessary to meet or approximate but not exceed one’s active salary offer from elsewhere to make a successful job offer. These statements constitute the guideline salary offer limits. It is appropriate in the salary negotiation process for the hiring manager to request that an applicant state, in writing, the lowest salary the applicant would accept and why, in relation to the applicant’s salary history/job competing job offer(s).

Hiring managers should not that above base hiring, at any step level, is not automatically authorized to offset a lack of benefits in contractual or temporary emergency employment.

Hiring managers should also note that an above base salary level, approved under contract employment or temporary emergency (TE) appointment, **cannot be guaranteed** when any employee is appointed to a permanent position (PIN).

A hiring manager, with the advice of the field HR Officer; or, the HR Officer in the Office of Human Resources, may authorize a salary level up to and including a step 9 of the salary grade provided the salary does not exceed the salary offer limits per these guidelines and meets the current Fiscal Exclusions set by the Department of Budget and Management.

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Salary offers exceeding salary offer limits per these guidelines requires demonstrated public solicitation using JobAps to recruit/attract applicants; and a statement from the hiring manager as to why additional recruitment cannot or should not be undertaken; and requires the approval of the Program Director, Facility Director, or Local Health Officer prior to signing/submitting contract or processing an TE appointment.

The Program Director, Facility Director, or Local Health Officer, with the advice of the field HR Officer; or, the HR Officer in the Office of Human Resources, may authorize a salary level within the salary grade that exceeds the guideline salary level when he/she determines that a reasonable effort has been made to recruit/attract applicants; and determines that such salary offer is in the State’s best interest as it relates to service, quality, efficiency, and/or expediency.

Any and all of these salary and recruitment guidelines may be waived in the name of departments “Emergency Preparedness” or “Emergency Response” when such circumstance clearly exists, and the MDH Director, Office of Human Resources concurs with the requesting Program Director, Facility Director, or Local Health Officer on the need for such a waiver.

***Note for SPP only: Following these guidelines will result in a contract that meets all requirements; however, managers and employees should be aware the contract is not official until it is reviewed and approved by the appropriate control agencies.***