

Bill No. 14-14  
Concerning: Contracts and Procurement  
- Wage Requirements - Health  
Insurance - Amendments  
Revised: April 1, 2015 Draft No. 14  
Introduced: February 4, 2014  
Enacted: April 14, 2015  
Executive: April 22, 2015  
Effective: July 22, 2015  
Sunset Date: [[None]] July 1, 2017  
Ch. 18, Laws of Mont. Co. 2015

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmembers Navarro, Berliner, Riemer, Elrich, Floreen and Branson

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**AN ACT** to:

- (1) require ~~[[certain]]~~ the County ~~[[contractors or subcontractors]]~~ to ~~[[provide health insurance or a cash equivalent for]]~~ assist certain employees working on a County contract to apply for health insurance on the Maryland Health Benefit Exchange;
- (2) ~~[[limit the employee's share of the health insurance premium for certain employees working on a County contract;~~
- (3)]] eliminate the credit against the wage requirements for the employer's share of health insurance for certain employees working on a County contract; and
- (3) generally amend the law governing wage requirements for County contractors and subcontractors.

By amending

Montgomery County Code  
Chapter 11B, Contracts and Procurement  
Article VI, Wage Requirements  
Section 11B-33A

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<del>[[Single boldface brackets]]</del>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<del>[[Double boldface brackets]]</del>	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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



27 without identifying confidential medical information; [or]  
28 and

29 (B) [[a cash payment equal to the hourly average cost to the]  
30 permit each employee [[for a Silver plan]] without health  
31 insurance to meet with a County representative designated  
32 by the Director of Health and Human Services during  
33 normal work hours to receive help applying for health  
34 insurance on the Maryland Health Benefit Exchange, [[less  
35 9.5% of the employee's hourly salary]] including any  
36 available Federal tax subsidy.

37 ~~[(4)] [(3)]~~ [[The contractor]] [or subcontractor] [may] [[must]] [:(1)]  
38 [[certify in its bid or proposal:

39 (A) the]] [[per-employee hourly]] [[per pay period cost of the  
40 employer's share of the premium for]] [[that]] [[health  
41 insurance[,] offered to its employees; and

42 [(2)] (B)] [reduce the wage paid under subsection (e) to any  
43 employee covered by the insurance by all or part of the per-  
44 employee hourly cost of the employer's share of the  
45 premium] [[the employee's share of the premium for that  
46 health insurance.]]

47 ~~[(5)] [(4)]~~ (3) The Director of the Department of Health and Human  
48 Services or a designee [[of the Director]] must assist any employee  
49 of a contractor or subcontractor without health insurance who  
50 requests help to apply for health insurance on the Maryland Health  
51 Benefit Exchange, including any available Federal tax subsidy.

52 ~~[(6)] [(5)]~~ (4) Each contractor must submit a quarterly payroll  
53 report to the [[Director]] Chief Administrative Officer for each

54 employee of the contractor or any subcontractor who performed  
55 services on the contract that includes:

56 (A) the wages paid to the employee; and

57 (B) the employer and the employee share of any health  
58 insurance premium provided to the employee.

59 ~~[(7)]~~ ~~[(6)]~~ (5) [[The Executive must adopt a Method 2 regulation  
60 establishing guidelines for calculating the amount of the cash  
61 payment option in subparagraph (3)]] The Director must retain the  
62 quarterly payroll reports submitted by the contractor under  
63 paragraph ~~[(6)]~~ ~~[(5)]~~ (4) for at least 3 years after the completion  
64 of the contract. On or before each September 1, the Director must  
65 report to the Executive and the Council the number of employees  
66 of a contractor or subcontractor who provided services to the  
67 County during the previous fiscal year who had health insurance  
68 and the number of employees who did not have health insurance.

69 \* \* \*

70 (e) *Wage requirement.*

71 (1) [[Except as permitted under subsection (d)(2), each]] Each covered  
72 employer must pay each employee who is not exempt under  
73 subsection (f) at least \$10.50 per hour during the time the  
74 employee actually provides services to the County.

75 \* \* \*

76 **Sec. 2. Effective date.**

77 ~~[(a)]~~ The amendments to Section 11B-33A, inserted in Section 1 of this  
78 Act~~[[,]]~~:

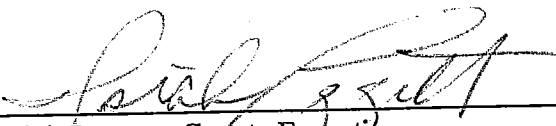
79 (a) apply to any contract [[for which the County government released a  
80 solicitation]] in effect on or after the date this Act takes effect; and

81 (b) [[At the request of the contractor the Executive must renegotiate the terms  
 82 of any contract entered into before this Act takes effect to reimburse the  
 83 contractor for the increased cost of voluntarily adding a health insurance  
 84 benefit that complies with this law for its employees who perform work  
 85 for the County. The increased cost to the County must not be greater than  
 86 \$4000 per year for each covered employee]] are not effective after July  
 87 1, 2017.

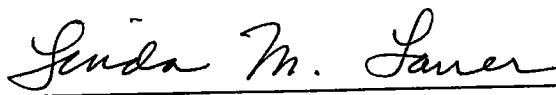
88  
89 *Approved:*

90  4/16/15  
 George Leventhal, President, County Council Date

91 *Approved:*

92  April 22, 2015  
 Isiah Leggett, County Executive Date

93 *This is a correct copy of Council action.*

94  4/22/15  
 Linda M. Lauer, Clerk of the Council Date