



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Quinton M. Herbert, JD, Director, and Chief Human Capital Officer
<b>DATE</b>	October 18, 2024
<b>SUBJECT</b>	Council Bill 24-0584 – Baltimore City Government Entities – Language Access

The Honorable President and  
Members of the City Council  
City Hall, Room 400

DATE: October 18, 2024

**Position: Support**

**SUMMARY OF POSITION**

The Department of Human Resources (“DHR”) has reviewed Council Bill 24-0584 – Baltimore City Government Entities – Language Access and supports this bill.

24-0584 focuses on the establishment of a "Language Access" ordinance in Baltimore City. It outlines requirements for Baltimore City government entities to provide language access services to individuals with Limited English Proficiency (“LEP”). It requires Baltimore government entities to:

1. Appoint a Language Access Liaison: Each entity must designate someone responsible for overseeing language access.
2. Adopt a Language Access Plan: Agencies must develop a formal plan for providing language access services.
3. Provide Language Access Services: These services must be offered to individuals with limited English proficiency (LEP) to ensure they can access government resources and services.
4. Reporting Requirements: Entities are required to submit reports on their language access efforts.

Overall, it aims to improve the provision of services to non-English speaking individuals in Baltimore by ensuring consistent language access policies across government entities. DHR recognizes the vital role of language access in promoting inclusion and equal opportunity.

While DHR supports the spirit of the Bill, there are significant employee related and budgetary considerations to account for when assigning the Language Access Liaison role as outlined in the

Bill:

1. **Out-of-title pay:** If a current employee is tasked with taking on the duties of the Language Access Liaison, they may be eligible for out-of-title pay, which would increase the City's payroll costs.
2. **Salary Increase:** Should the employee's job description be updated to formally include these new responsibilities, it may potentially lead to a salary increase due to the expanded scope of duties.
3. **Requiring performance:** The requirements of the new position as outlined by MIMA add significant duties and responsibilities to employees performing this function. To the extent that these duties and responsibilities are in addition to those in the employee's classification specification, agencies may have difficulty requiring an employee to perform the additional duties required by the Bill.

If the Language Access Liaison is required to be bilingual, the following considerations should be considered:

- **Time dedication:** It's important to assess how much time the employee will spend utilizing their language skills, as this may affect the stipend amount.
- **Proficiency requirements:** If bilingual proficiency is required, the City may need to cover the costs of language proficiency testing.
- **Bilingual classifications:** The Department of Human Resources (DHR) may need to create new classifications to formally incorporate the use of bilingual skills.
- **Multiple languages:** The City should determine whether employees who are proficient in multiple languages will receive additional compensation for each language or a single stipend.

Under Md. Code Regs. 17.04.02.10 - Bilingual Pay, effective since July 1, 1998, the following applies:

- An employee may be designated by an appointing authority to provide translation services if such services are necessary for the unit's operations.
- If bilingual skills are not included in the employee's classification, the appointing authority cannot require the employee to provide translation services unless the employee receives a bilingual bonus or the hourly equivalent, which is at least \$25 per month.

Assuming a \$25 monthly stipend<sup>1</sup>, based on Maryland regulations, if one representative is appointed from each agency (37 agencies, including quasi-governmental entities), this would result in a minimum annual cost of approximately \$11,100.

If the Language Access Liaison is not required to be bilingual, it is recommended that the appointed employee be a Managerial and Professional Society (MAPS) employee, following the same model used for Equity Coordinators who take on additional duties alongside their primary roles. In this case, the selected employee may be eligible for a 2.5% stipend. If the employee is later relieved of the Language Access Liaison duties, they would no longer be eligible for the

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<sup>1</sup> It is worth noting that MIMA anticipates the required duties under the Bill taking an average of eight hours per week. Employees would be required to receive at a minimum the equivalent of the minimum wage for each hour spent performing those duties. If MIMA's estimations are correct, the additional cost could easily exceed \$200,000 per year in additional compensation for employees performing this function.

stipend.

DHR understands the importance of developing and maintaining a robust Language Access Plan that includes the translation of vital documents, provision of oral language services, and other necessary resources. The language access liaison will partner with MIMA to develop the plan.

DHR is prepared to support the ongoing monitoring and reporting of language access efforts. This will allow the City to track progress and ensure that LEP individuals receive the services they need, equivalent to those provided to English-speaking residents.

In conclusion, while DHR fully supports the goals of this ordinance as a key step toward a more inclusive and accessible Baltimore, we emphasize that appropriate budget consideration is necessary for the successful establishment of the Language Access Liaison position. We are committed to working closely with MIMA and other City agencies to ensure the ordinance is effectively implemented.

For additional questions or concerns, contact me at [Quinton.Herbert@baltimorecity.gov](mailto:Quinton.Herbert@baltimorecity.gov) or by phone at (410) 396-1563.

Sincerely,

Quinton M. Herbert, JD  
Chief Human Capital Officer