

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**1997 Legislative Session**

Bill No. \_\_\_\_\_ CB-70-1997

Chapter No.

Proposed and Presented by \_\_\_\_\_ Council Member Gourdine

Introduced by

Co-Sponsors

Date of Introduction

**BILL**

AN ACT concerning

Personnel Law

For the purpose of establishing preferences for recruitment as a Police Officer and promotion as a Police Officer under certain circumstances.

BY repealing and reenacting with amendments:

SUBTITLE 16. PERSONNEL.

Sections 16-162 and 16-163,

The Prince George's County Code

(1995 Edition, 1996 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 16-162 and 16-163 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 16. PERSONNEL.**

**DIVISION 7. ELIGIBILITY REGISTERS.**

**Sec. 16-162. Establishment and maintenance of eligibility registers.**

\* \* \* \* \*

(d) Order of Names on Register.

(1) Promotional Registers.

(A) The Personnel Officer shall arrange the names of all eligibles on any promotion eligibility register, whether continuous or temporary, in descending order with the

name or names of the eligible or eligibles assigned the highest rating placed at the top of any such register.

(B) Where the names of eligibles are arranged on any such promotion eligibility register in accordance with the provisions of subparagraph (d)(1)(A), above, on the basis of nominal ratings, the Personnel Officer shall order the names of all eligibles within the same nominal rating group alphabetically.

(C) In the case of a promotion eligibility register for police officer promotion, the name of each eligible afforded a preference pursuant to subsection (e) shall be placed at the top of such register.

(2) Recruitment Registers. The Personnel Officer shall first arrange the names of all eligibles on any recruitment eligibility register, whether continuous or temporary, in descending order with the name or names of the eligible or eligibles assigned the highest rating placed at the top of any such register. Then, the final order of the names of all eligibles on such register shall be determined in accordance with the following procedures:

(A) Where the eligibles on any such register have been assigned numerical or ordinal ratings, the range of the ratings on such register shall be divided into three (3) separate subranges, as appropriate, based on the nature of the range of ratings. The Personnel Officer shall then arrange the names of all eligibles within each such subrange into the following priority categories:

(i) All disabled veteran eligibles, if any, shall be ordered, by rating, above all other eligibles identified in subparagraphs (ii), (iii), (iv), (v), (vi), and (vii), below;

(ii) In the case of recruitment for appointment to a vacant position as a full-time career firefighter, emergency medical technician, or paramedic, all nondisabled veteran eligibles, if any, who have formerly served as volunteer firefighters shall be ordered, by rating, above all other eligibles identified in subparagraphs (iii), (iv), (v), (vi), and (vii), below. In the case of recruitment for appointment to a vacant position as a police officer, all nondisabled veteran eligibles, if any, who are afforded a preference pursuant to subsection (e) shall be ordered, by rating, above all other eligibles identified in subparagraphs (iii), (iv), (v),

(vi), and (vii), below;

(iii) All other nondisabled veteran eligibles, if any, shall be ordered, by rating, above all other eligibles identified in subparagraphs (iv), (v), (vi), and (vii), below;

(iv) In the case of recruitment for appointment to a vacant position as a full-time career firefighter, emergency medical technician, or paramedic, all other nonveteran eligibles, if any, who have formerly served as volunteer firefighters shall be ordered, by rating, above all other eligibles identified in subparagraphs (v), (vi), and (vii), below. In the case of recruitment for appointment to a vacant position as a police officer, all other nonveteran eligibles, if any, who are afforded a preference pursuant to subsection (e) shall be ordered, by rating, above all other eligibles identified in subparagraphs (v), (vi), and (vii), below;;

(v) All other nonveteran eligibles, if any, who are "displaced homemakers" shall be ordered, by rating, above all other eligibles identified in subparagraphs (vi) and (vii), below;

(vi) All other nonveteran eligibles, if any, who have certified on their examination applications that they are currently residing within Prince George's County shall be ordered, by rating, above all other eligibles identified in subparagraph (vii), below; and,

(vii) All other nonveteran eligibles, if any, who have certified on their examination applications that they are not currently residing within Prince George's County shall be ordered, by rating, in the last priority category; or,

(B) Where the eligibles on any such register have been assigned nominal ratings, the Personnel Officer shall arrange the names of all eligibles within each nominal rating group into the following priority categories:

(i) All disabled veteran eligibles, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (ii), (iii), (iv), (v), (vi), and (vii), below;

(ii) In the case of recruitment for appointment to a vacant position as a full-time career firefighter, emergency medical technician, or paramedic, all nondisabled veteran eligibles, if any, who have formerly served as volunteer firefighters shall be ordered alphabetically above all other eligibles identified in subparagraphs (iii), (iv), (v), (vi), and

(vii), below. In the case of recruitment for appointment to a vacant position as a police officer, all nondisabled veteran eligibles, if any, who are afforded a preference pursuant to subsection (e) shall be ordered alphabetically above all other eligibles identified in subparagraphs (iii), (iv), (v), (vi), and (vii), below;

(iii) All other nondisabled veteran eligibles, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (iv), (v), (vi), and (vii), below;

(iv) In the case of recruitment for appointment to a vacant position as a full-time career firefighter, emergency medical technician, or paramedic, all other nonveteran eligibles, if any, who have formerly served as volunteer firefighters shall be ordered alphabetically above all other eligibles identified in subparagraphs (v), (vi), and (vii), below. In the case of recruitment for appointment to a vacant position as a police officer, all other nonveteran eligibles, if any, who are afforded a preference pursuant to subsection (e) shall be ordered alphabetically above all other eligibles identified in subparagraphs (v), (vi), and (vii), below;

(v) All other nonveteran eligibles, if any, who are "displaced homemakers" shall be ordered alphabetically above all other eligibles identified in subparagraphs (vi) and (vii), below;

(vi) All other nonveteran eligibles, if any, who have certified on their examination applications that they are currently residing within Prince George's County shall be ordered alphabetically above all other eligibles identified in subparagraph (vii), below; and,

(vii) All other nonveteran eligibles, if any, who have certified on their examination applications that they are not currently residing within Prince George's County shall be ordered alphabetically in the last priority category.

(3) Joint Promotion/Recruitment Registers. The Personnel Officer shall first arrange the names of all eligibles on any joint promotion/recruitment eligibility register, whether continuous or temporary, in descending order with the name or names of the eligible or eligibles assigned the highest rating placed at the top of any such register. Then, the final

order of the names of all eligibles on such register shall be determined in accordance with the following procedures:

(A) Where the eligibles on any such register have been assigned numerical or ordinal ratings, the range of the ratings on such register shall be divided into three (3) separate subranges, as appropriate, based on the nature of the range of ratings. The Personnel Officer shall then arrange the names of all eligibles within each such subrange into the following priority categories:

(i) All eligibles who are seeking promotion, if any, shall be ordered, by rating, above all other eligibles identified in subparagraph (ii), (iii), (iv), (v), (vi), (vii), and (viii), below;

(ii) All disabled veteran eligibles who are seeking initial appointment, if any, shall be ordered, by rating, above all other eligibles identified in subparagraphs (iii), (iv), (v), (vi), (vii), and (viii), below;

(iii) All nondisabled veteran eligibles who have formerly served as volunteer firefighters and are seeking initial appointment as a full-time career firefighter, emergency medical technician, or paramedic, if any, shall be ordered, by rating above all other eligibles identified in subparagraphs (iv), (v), (vi), (vii), and (viii), below. All nondisabled veteran eligibles who are afforded a preference pursuant to subsection (e) and are seeking initial appointment as a police officer, if any, shall be ordered by rating above all other eligibles identified in subparagraphs (iv), (v), (vi), (vii) and (viii), below;

(iv) All other nondisabled veteran eligibles who are seeking initial appointment, if any, shall be ordered, by rating, above all other eligibles identified in subparagraphs (v), (vi), (vii), and (viii), below;

(v) All other nonveteran eligibles who have formerly served as volunteer firefighters and are seeking initial appointment as a full-time career firefighter, emergency medical technician, or paramedic, if any, shall be ordered, by rating, above all other eligibles identified in subparagraphs (vi), (vii), and (viii), below. All other nonveteran eligibles who are afforded a preference pursuant to subsection (e) and are seeking initial

appointment as a police officer, if any, shall be ordered by rating above all other eligibles identified in subparagraphs (vi), (vii) and (viii), below;

(vi) All other nonveteran eligibles, if any, who are "displaced homemakers" shall be ordered, by rating, above all other eligibles identified in subparagraphs (vii) and (viii), below;

(vii) All other nonveteran eligibles who are seeking initial appointment and who have certified on their examination applications that they are currently residing within Prince George's County, if any, shall be ordered, by rating, above all other eligibles identified in subparagraph (viii) below; and,

(viii) All other nonveteran eligibles who are seeking initial appointment and who have certified on their examination applications that they are not currently residing within Prince George's County, if any, shall be ordered, by rating, in the last priority category; or,

(B) Where the eligibles on any such register have been assigned nominal ratings, the Personnel Officer shall arrange the names of all eligibles within each nominal rating group into the following priority categories:

(i) All eligibles who are seeking promotion, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (ii), (iii), (iv), (v), (vi), (vii), and (viii), below;

(ii) All disabled veteran eligibles who are seeking initial appointment, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (iii), (iv), (v), (vi), (vii), and (viii), below;

(iii) All nondisabled veteran eligibles who have formerly served as volunteer firefighters and are seeking initial appointment as a full-time career firefighter, emergency medical technician, or paramedic, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (iv), (v), (vi), (vii), and (viii), below. All nondisabled veteran eligibles who are afforded a preference pursuant to subsection (e) and are seeking initial appointment as a police officer, if any, shall be ordered alphabetically above all

other eligibles identified in subparagraphs (iv), (v), (vi), (vii) and (viii), below;

(iv) All nondisabled veteran eligibles who are seeking initial appointment, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (v), (vi), (vii), and (viii), below;

(v) All other nonveteran eligibles who have formerly served as volunteer firefighters and are seeking initial appointments, as a full-time career firefighter, emergency medical technician, or paramedic, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (vi), (vii), and (viii), below. All other nonveteran eligibles who are afforded a preference pursuant to subsection (e) and are seeking initial appointment as a police officer, if any, shall be ordered alphabetically above all other eligibles identified in subparagraphs (vi), (vii) and (viii), below;

(vi) All other nonveteran eligibles, if any, who are "displaced homemakers" shall be ordered alphabetically above all other eligibles identified in subparagraphs (vii) and (viii), below;

(vii) All other nonveteran eligibles who are seeking initial appointment and who have certified on their examination applications that they are currently residing within Prince George's County, if any, shall be ordered alphabetically above all other eligibles identified in subparagraph (viii) below; and,

(viii) All other nonveteran eligibles who are seeking initial appointment and who have certified on their examination applications that they are not currently residing within Prince George's County, if any, shall be ordered alphabetically in the last priority category.

(4) Suspension of Volunteer Firefighter Preference Rankings. Whenever the Personnel Officer determines that the ranking of eligibles for appointment to a vacant position as a full-time career firefighter, emergency medical technician, or paramedic will have a disparate effect on a protected class as defined by the guidelines of the Equal Employment Opportunity Commission, upon written certification to the County Executive and the Fire Chief, he shall rank eligibles without regard to the preference for prior service as a volunteer

firefighter.

**Sec. 16-163. Conditions for granting of preferences.**

(a) Veteran's Preference. Pursuant to the requirements of Section 48 of Article 96 1/2 of the Annotated Code of Maryland, any person whose name appears as an eligible on any established recruitment eligibility register or on any established joint promotion/recruitment eligibility register, shall be entitled to the veteran's preference considerations granted under Section 16-162(d)(2) and (3), above, with respect to priority ordering on any such eligibility register if said person satisfies the following conditions:

(1) The person presents evidence of separation from any branch of the United States Armed Forces under honorable conditions after at least one hundred and eighty (180) days of active military duty, in such manner and form as described in duly developed, approved and issued personnel procedures, as defined in Section 16-102(a)(32);

(2) The person has been a legal resident of the State of Maryland for at least five (5) full calendar years at the time of making formal application for a competitive examination in order to be considered for initial appointment to a vacant position in the classified service; and,

(3) If the person is a disabled veteran, the person presents evidence of a permanent, service-related disability of thirty percent (30%) or more for which said person is receiving disability compensation payments from the United States Veteran's Administration and/or any branch of the United States Armed Forces in such manner and form as prescribed in duly developed, approved and issued personnel procedures, as defined in Section 16-102(a)(32).

(b) Veteran's Surviving Spouse. The veteran's preference considerations granted under Section 16-162(d)(2) and (3), above, shall be extended to any unmarried surviving spouse of a deceased veteran upon the presentation of evidence by such spouse in such manner and form as prescribed in duly developed, approved and issued personnel procedures, as defined in Section 16-102(a)(32) that:

(1) The person has been a legal resident of the State of Maryland for at least five



(5) full calendar years at the time of making formal application for competitive examination in order to be considered for initial appointment to a vacant position in the classified service;

(2) The person is unmarried and is the legally recognized spouse of a deceased veteran;

(3) The deceased veteran had been honorably discharged from any branch of the United States Armed Forces; and,

(4) If the deceased veteran was disabled, the disability was a permanent, service-related disability of thirty percent (30%) or more for which the veteran was receiving, at the time of death, disability compensation payments from the United States Veteran's Administration and/or any branch of the United States Armed Forces.

(c) "Displaced Homemakers" Preference. The preference considerations granted under Section 16-162(d)(2) and (3), above, to "displaced homemakers" shall be extended to any individual upon the presentation of evidence by such individual in such manner and form as prescribed by duly developed, approved and issued personnel procedures, as defined in Section 16-102(a)(32), that:

(1) The person has been a legal resident of the State of Maryland for at least five (5) full calendar years at the time of making formal application for competitive examination in order to be considered for initial appointment to a vacant position in the classified service and is currently residing within Prince George's County;

(2) The person is over thirty-five (35) years of age;

(3) The person has not been gainfully employed on a substantially full-time basis for the past five (5) calendar years because the person has worked for the person's family in the family home; and,

(4) The person has had or would have difficulty in finding employment; and,

(5) (A) The person has depended on the income of a family member and has lost that income as a result of separation, divorce, or the death or disability of that family member; or,

(B) The person has depended on government assistance as the parent of

dependent children and is no longer eligible for such assistance.

(d) **Volunteer Firefighter's Preference.** The preference considerations granted under Section 16-162(d)(2) and (3), above, to volunteer firefighters shall be extended to any individual upon the presentation of evidence by such individual in such manner and form as prescribed by duly developed, approved and issued personnel procedures, as defined in Section 16-102(a)(32), that:

(1) The person has been a legal resident of the State of Maryland for at least two (2) full calendar years at the time of making formal application for competitive examination in order to be considered for initial appointment to a vacant position as a full-time career firefighter, emergency medical technician or paramedic in the classified service and is currently residing within Prince George's County;

(2) The person has a minimum of two years experience as an "active" volunteer firefighter with a volunteer fire or rescue squad department or company within Prince George's County, as certified by the Prince George's County Fire Chief; and

(3) The person has completed the basic firefighting training course of the Prince George's County Fire Department.

(e) **Police Officer's Preference.** The preference considerations granted under Section 16-162(d)(1), (2), and (3), for promotion to a police officer position and for applicants for police officer positions shall be extended to any individual upon the presentation and verification of evidence in such manner and form as prescribed by duly approved and issued personnel procedures that:

(1) The person agrees, if appointed, to become a resident of a crime reporting district designated by the Chief of Police for at least five continuous calendar years following initial appointment;

(2) The person has been a legal resident of a crime reporting district designated by the Chief of Police for at least three continuous calendar years at the time of becoming eligible for promotion to a vacant position as a Police Officer in the classified service;

(3) The Chief of Police shall designate crime reporting districts in which occur

reported crimes at a rate for the preceding five years greater than the average rate of reported crimes for the County as a whole.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

Dorothy F. Bailey  
Chair

ATTEST:

Joyce T. Sweeney  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY:

Wayne K. Curry  
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.