

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2025 Legislative Session

Bill No. CB-107-2025

Chapter No. _____

Proposed and Presented by Council Member Oriadha

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 County Personnel

3 For the purpose of clarifying the County's personnel policy regarding progressive discipline;
 4 revising the grounds for employee dismissal; providing for immediate dismissal for low
 5 performing employees; and generally regarding County personnel law.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 16. PERSONNEL.

8 Sections 16-192, 16-193 and 16-194,

9 The Prince George's County Code

10 (2023 Edition; 2024 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 12 Maryland, that Sections 16-192, 16-193 and 16-194 of the Prince George's County Code be and
 13 the same are hereby repealed and reenacted with the following amendments:

14 SUBTITLE 16. PERSONNEL.

15 DIVISION 13. DISCIPLINE.

16 **Sec. 16-192. Disciplinary policy.**

17 It shall be the policy of Prince George's County to insure that all appointing authorities and
 18 supervisors discipline employees under their respective jurisdictions in a fair, reasonable, and
 19 equitable manner. In that regard, it shall be the general policy of Prince George's County to
 20 follow a pattern of progressive discipline which provides employees with notice of deficiencies
 21 and an opportunity to improve both performance and conduct problems. All appointing

authorities and supervisors shall be encouraged to initiate and/or take authorized disciplinary actions against their employees whenever such disciplinary actions are warranted by virtue of violations of standards of conduct or behavior or failures to maintain satisfactory performance. Progressive discipline does not require an appointing authority or supervisor to apply discipline in a particular order or to always begin with the least severe penalty. In some cases involving misconduct or a violation of policy or procedure, an appointing authority or supervisor may bypass progressive discipline and dismiss the employee or take another more severe disciplinary action. The job performance and conduct of each employee impacts directly on the public's trust in government and on the County's ability to achieve its mission of service to the public. All employees are, therefore, responsible for adhering to the standards of performance and conduct.

Sec. 16-193. - Conduct related disciplinary actions.

* * * * *

(c) General Criteria. Whenever an employee commits an act or acts which constitute grounds for disciplinary action, as provided in Subsection (a), above, the employee's appointing authority or supervisor, as the case may be, shall adhere to the general criteria set forth below in deciding what type of authorized disciplinary action, if any, should be initiated and taken against such employee.

(1) Dismissal. The dismissal of an employee shall constitute the most severe type of all authorized disciplinary actions. The dismissal of an employee shall be taken only when the act or acts of the employee which constitute the grounds for disciplinary action are, in the judgment of the employee's appointing authority, serious in nature. In deciding whether any act or acts of the employee are of a sufficiently serious nature to warrant dismissal, the employee's appointing authority shall rely upon any one (1) of the following criteria as justification for the taking of a dismissal action against an employee:

* * * * *

(D) Where the employee commits an act or a series of acts which call into serious question the employee's trustworthiness, competence and/or integrity in the continued performance of the employee's assigned duties and responsibilities;

* * * * *

Sec. 16-194. Performance-related disciplinary actions.

* * * * *

(c) General Criteria. Whenever any appointing authority or supervisor makes a determination, in accordance with the grounds set forth in Subsection (a), above, that an employee's performance has become "less than satisfactory," the employee's appointing authority or supervisor, as the case may be, shall adhere to the general criteria set forth below in deciding what type of authorized disciplinary action, if any, should be initiated and taken against such employee.

(1) Dismissal. The dismissal of an employee shall constitute the most severe of the three (3) types of performance-related, disciplinary actions authorized under Subsection (b), above. After an employee's appointing authority or supervisor has determined that the employee's performance constitutes grounds for disciplinary action, as set forth in Subsection (a), above, the employee's appointing authority shall be justified in causing the employee to be dismissed, provided that:

* * * * *

(B) The employee's appointing authority has made a reasonable determination that the employee will be unable, incapable and/or unwilling to perform satisfactorily in another position in a class with a lower grade; provided, however, that where the appointing authority has made a reasonable determination that the employee will be capable and able to perform satisfactorily in another position in a class with a lower grade, nothing in this subparagraph shall be construed to prevent the appointing authority from causing the employee to be dismissed notwithstanding such a determination if the appointing authority has made a reasonable effort to demote the employee and such demotion cannot be effectuated due to the unavailability of an appropriate vacant position, or due to the fact that the proposed demotion does not meet the conditions stipulated in Section 16-148(a)(6)(B).

Notwithstanding any other provision in this subsection, an employee of the County Council shall be eligible for immediate dismissal if the employee: (i) receives an annual performance rating of "Does Not Meet Expectations" or equivalent rating or (ii) commits an act or a series of acts which call into serious question the employee's trustworthiness, competence and/or integrity in the continued performance of the employee's assigned duties and responsibilities.

(2) Demotion. The demotion of an employee shall constitute a performance-related disciplinary action less severe in nature than a dismissal. After an employee's appointing authority or supervisor has determined that the employee's performance constitutes grounds for

disciplinary action, as set forth in Subsection (a), above, the employee's appointing authority shall be justified in causing the employee to be demoted, provided that:

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this _____ day of _____, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
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.

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