

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session _____ 1991 _____

Bill No. _____ CB-44-1991 _____

Chapter No. _____ 42 _____

Proposed and Presented by _____ Council Member Wineland _____

Introduced by _____ Council Member Wineland _____

Co-Sponsors _____

Date of Introduction _____ June 11, 1991 _____

BILL

AN ACT concerning

Separations - Reduction-in-Force

FOR the purpose of awarding retention points to veterans of the United States Armed Forces for service in the Armed Forces.

BY repealing and reenacting with amendments:

SUBTITLE 16. PERSONNEL.

Sections 16-102(a), and

16-188(b),

The Prince George's County Code

(1987 Edition, 1989 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 16-102(a) and 16-188(b) of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 16. PERSONNEL.

DIVISION 1. GENERAL PROVISIONS.

Sec. 16-102. Definitions.

(a) For purposes of this Subtitle, the following words and phrases shall have the meanings respectively ascribed to them by this Section, except where the context clearly requires otherwise:

* * * * *

(49.1) Resignation shall mean a voluntary written statement from an employee giving his appointing authority notice of the termination of his employment with the County. A "resignation" shall include, at a minimum, the date of the employee's separation and the position from which the employee is separating.

(50) Retention Points means the numerically weighted factors of length of County employment, length of active military service in the Armed Forces of the United States, and prior official performance ratings, which factors constitute the formula for the derivation of the quantitative score assigned to each permanent status employee occupying a position in the classified service and determine each such employee's relative standing or rank on a retention register.

(51) Retention Register means a written record of a given class of work within the classified service and all positions allocated to said class of work within a given department, agency, or office, wherein the names of employees occupying positions allocated to said class of work are ranked by the Personnel Officer on the basis of their priority for retention due to a scheduled reduction-in-force action. Any such retention register shall also

include a ranking of the names of all employees occupying positions in said department, agency, or office which are allocated to lower graded classes within the same class series.

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SUBTITLE 16. PERSONNEL.

DIVISION 12. NONDISCIPLINARY SEPARATIONS.

Sec. 16-188. Separation -- reduction-in-force.

(b) Whenever a position or a group of positions is scheduled to be abolished under any one (1) of the sets of circumstances described in Subsection (a) above, the Personnel Officer shall implement the following procedures prior to initiating any final action to separate any employee under a separation -- reduction-in-force action:

(1) The Personnel Officer shall suspend the filling of any vacant position within the classes of work to be affected by the scheduled reduction-in-force action, as well as all lower graded classes within all class series of which said affected classes are a part, by any of the methods authorized under Sections 16-147 and 16-148, from the date the Personnel Officer is advised of the scheduled abolition of the position or group of positions until the effective date of the separation of an employee or employees under the separation -- reduction-in-force action.

(2) Whenever any one (1) of the sets of circumstances cited in Subsection (a) above with respect to the abolition of a position or a group of positions is not specific as to the class or classes of work affected and/or the number of positions to be

abolished, the Personnel Officer shall request the appropriate appointing authority or appointing authorities, as the case may be, to supply the Personnel Officer with a written statement setting forth each class of work to be affected by the separation -- reduction-in-force action and the number of positions to be abolished within each such class. The written statements by appointing authorities with respect to the number of positions to be abolished within their departments, agencies, or offices and the classes of work so affected, as required in the preceding sentence, shall be made at the sole discretion of such appointing authorities and shall be binding upon the Personnel Officer for purposes of any separation -- reduction-in-force action taken by the Personnel Officer thereafter.

(3) The Personnel Officer shall develop a retention register, as defined in Section 16-102(a)(51), for each class of work within which a position or a group of positions is scheduled to be abolished. Whenever any such class of work is part of a class series, as defined in Section 16-102(1)(9), the retention register shall be developed, by class, for each class of work with a lower grade within each such class series.

(4) With respect to any retention register developed for a single class of work and, where applicable, for all classes of work with lower grades within the same class series, as provided under subparagraph (b)(3) above, the Personnel Officer shall place the names of all employees occupying positions in each such class of work within the department, agency, or office (highest

organizational unit or entity) within which the position or group of positions is scheduled to be abolished into priority categories on each such register as follows:

(i) all permanent status employees shall be placed in the first priority category;

(ii) all probationary status employees and all limited-term status employees shall be placed in the second priority category; and,

(iii) all exempt status employees occupying classified service positions under the terms of temporary/provisional and temporary/emergency appointments shall be placed in the third priority category.

(5) The Personnel Officer shall compute a retention points score, as defined in Section 16-102(a)(50), for each permanent status employee whose name appears in any class of work on a retention register. The retention points score for each such employee shall be equal to the product of the sum of the points granted for the total months of service in any classified service position or qualifying service in the Armed Forces of the United States multiplied by the quotient of the sum of the points granted for the official performance ratings received for the preceding five (5) years divided by the sum of the number of such official performance ratings, where:

(i) each such employee shall be granted one (1) point for each month or part thereof of service in any classified service position; [and,]

(ii) each such employee shall be granted one half (1/2) point for each month or part thereof of active military service in the Armed Forces of the United States not to exceed 36 months as verified on the employee's Form DD-214; and,

(iii) each such employee shall be granted two (2) points for any official performance rating equivalent to "more than satisfactory"; one (1) point for any official performance rating equivalent to "satisfactory"; and a point value of zero (0) for any official performance rating equivalent to "less than satisfactory"; provided however, that:

(1) where any such employee, upon initial appointment, has completed the required probationary period but has yet to receive the first official performance evaluation at the time of the scheduled abolition of a position or positions giving rise to the reduction-in-force action, then, and in such event, the official probationary performance rating shall be utilized for purposes of computing the quotient of performance evaluation points, as provided above; and,

(2) where any such employee's official performance rating for any year, or any such employee's probationary performance evaluation, where applicable, is absent from the employee's official personnel file, as certified to in writing by the Personnel Officer, or where any such employee has initiated a grievance under the provisions of Section 16-200 with respect to the employee's official, probationary performance rating, where applicable, or the employee's latest, official performance rating,

and said grievance is pending unresolved at the time of the scheduled abolition of a position or positions giving rise to the reduction-in-force action, then, and in such event, the Personnel Officer shall exclude any such performance rating for purposes of computing the quotient of performance evaluation points, as provided above.

(6) The Personnel Officer shall arrange the names of all permanent status employees within the first priority category within each class of work on any retention register in descending order with the name or names of the employee or employees with the highest retention points score placed at the top of each such priority category.

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

Adopted this 9th day of July, 1991.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Richard J. Castaldi
Chairman

ATTEST:

Maurene W. Epps
Acting Clerk of the Council

APPROVED:

DATE: _____

BY: _____

Parris N. Glendening
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.