

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 2/17/98

Reference No.: CB-1-1998

Proposer: County Executive

Draft No.: 2

Sponsors: Wilson, Scott, Estepp, and Bailey

Item Title: An Act repealing the provisions for a volunteer firefighter preference for applicants for a position as a full-time career firefighter, emergency medical technician, or paramedic and providing for salary rate upon appointment above the entry level for such positions for former volunteer service

Drafter: Barbara L. Holtz
Office of Law

Resource Personnel: Joseph Adler, Personnel
and Labor Relations

LEGISLATIVE HISTORY:

Date Presented: ____/____/____

Executive Action: 2/24/98 S

Committee Referral: 12/2/97 PSFM

Effective Date: 4/13/98

Committee Action: 2/5/98 FAV (A)

Date Introduced: 12/2/97

Pub. Hearing Date: 1/20/98 1:30 PM

Council Action: 2/17/98 ENACTED

Council Votes: RVR:A, DB:A, SD:A, JE:A, IG:A, TH:A, WM:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT

Date: 2/5/98

Committee Vote: Favorable as amended, 5-0, (In favor: Council Members Estepp, Bailey, Hendershot, Scott and Wilson).

This bill will repeal the provisions of the Personnel Law (Section 16-162 and 163) related to the volunteer firefighters preference for positions of career firefighter, emergency technician or paramedic and provide for advance salary rates upon initial appointment. (Section 16-127 (b)(3)).

The County Executive stated that, while Prince George's County would like to encourage the spirit of volunteerism among the residents, they must be mindful of the issues raised in the case of "Alexander vs Prince George's County". As such, the County wants to ensure that none of its recruitment or hiring practices have any type of discriminatory impact on any class of individuals.

In order to ensure that individuals recruited are recognized for the commitment shown through their volunteerism, an enhanced benefit will be implemented to compensate for the preference loss. The enhanced benefit to experienced firefighters is quite similar to the County's current practice of providing such enhancements to experienced police officers and comports with the strictures of Section 16-127 of the Personnel Law.

The Office of Law recommended deleting the phrase "within Prince George's County" on page 2, lines 22-23. With this amendment, the Office of Law states that the provisions of this bill should withstand any legal challenge.

The Legislative Officer expressed several legal issues concerning this legislation. The most significant is the impact upon the County's obligation to provide equal employment under Federal, State and County law and to refrain from discriminating on the basis of race and gender.

The Fire Chief supports this bill which will enable the Fire Department to address critical staffing needs in a more equitable manner while maintaining the ability to recognize individuals who provide active volunteer service to the citizens of Prince George's County.

The Personnel Officer, Volunteer Fire and Rescue Association and the Volunteer Fire Commission support CB-1-1998.

There may be some negative fiscal impact on the County related to any additional salary cost above the entry level for appointments of individuals who have previously served as active volunteer firefighters.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation will repeal the provisions for a volunteer firefighter preference for applicants for a position as a full-time career firefighter, emergency medical technician, or paramedic and providing for salary rate upon appointment above the entry level for such positions for former volunteer service.

CODE INDEX TOPICS: