


**MEMORANDUM**

March 13, 2015

TO: County Council

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Public Hearing:** Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position

Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position, sponsored by the Council President at the request of the County Executive and Councilmember Katz, was introduced on March 3, 2015. A joint Government Operations and Fiscal Policy/Public Safety Committee worksession is tentatively scheduled for April 2, 2015 at 9:30 a.m.

Bill 10-15 would establish a hiring preference for a qualified veteran or a veteran with a disability who applies for a uniformed public safety position. It also requires the Executive to adopt regulations implementing this hiring preference. The Executive attached a draft regulation that would implement this law. See ©9-12.

The current law already requires priority consideration for a veteran or a veteran with a disability who applies for a merit position and is rated in the highest rating category. Bill 10-15 would provide a point preference for a veteran or a veteran with a disability who applies for a uniformed public safety position without requiring the applicant to be rated in the highest rating category. The Bill would continue to require priority consideration for a veteran or a veteran with a disability who applies for a merit position that is not a uniformed public safety position.

This packet contains:	<u>Circle #</u>
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Expedited Bill No. 10 -15  
Concerning: Personnel – Veteran Hiring Preference – Public Safety Position  
Revised: March 11, 2015 Draft No. 3  
Introduced: March 3, 2015  
Expires: September 3, 2016  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Council President at the Request of the County Executive and Councilmember Katz

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**AN EXPEDITED ACT to:**

- (1) establish a hiring preference for a qualified veteran or a veteran with a disability who applies for a uniformed public safety position;
- (2) require the Executive to adopt regulations implementing this hiring preference; and
- (3) generally amend the merit system law governing competitive hiring for merit system positions.

By amending

Montgomery County Code  
Chapter 33, Personnel and Human Resources  
Sections 33-7

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act*

1           **Sec. 1. Sections 33-7 is amended as follows:**

2           **33-7. County Executive and Merit System Protection Board responsibilities**

3   \*       \*       \*

4           (d)   *Hiring persons with disabilities.*

5   \*       \*       \*

6                   (3)   Competitive appointment.

7                               (A)   Except as provided in Subsection (e), [The] the regulation  
8                               must establish and maintain a preference [for the initial  
9                               appointment of a qualified person with a disability into a  
10                              merit system position] under the following order of  
11                              preference:

- 12                              (i)   an employee who is unable to perform the  
13                              employee’s job because of a disability or injury  
14                              under the ADA;
- 15                              (ii)   an employee subject to reduction-in-force;
- 16                              (iii)  an employee who was granted a temporary  
17                              disability retirement under the Employees  
18                              Retirement System or an initial or temporary  
19                              disability benefit of any type under the Retirement  
20                              Savings Plan or the Guaranteed Retirement Income  
21                              Plan but is no longer eligible for such a temporary  
22                              disability retirement or benefit;
- 23                              (iv)   a veteran with a disability;
- 24                              (v)   an equal preference for a veteran without a  
25                              disability and a non- veteran with a disability.

26                              (B)   This regulation must only apply the preference in  
27                              Subparagraphs (A)(iv) and (A)(v) [to] for the initial

28 appointment of a qualified [a] person to a merit system  
 29 position who is among the highest rating category in a  
 30 normal competitive process.

31 \* \* \*

32 (e) Hiring Veterans for Uniformed Public Safety Positions.

33 (1) Findings.

34 (A) Veterans, particularly those returning from combat in Iraq and  
 35 Afghanistan, suffer from a high unemployment rate.

36 (B) The skills and experience gained by veterans while in the  
 37 military are helpful assets for serving in uniformed public  
 38 safety positions.

39 (2) Regulation. The Executive must establish by personnel regulation,  
 40 under Method (1), standards for a hiring preference point system for  
 41 the initial appointment of a qualified veteran who applies for a merit  
 42 uniformed public safety position in a normal competitive process.

43 These standards must:

44 (A) define a veteran as a person who was honorably discharged or  
 45 released from a branch of the United States armed services after  
 46 at least 180 days of active military duty other than for training;

47 (B) define a veteran with a disability as a veteran rated by the  
 48 Department of Veterans Affairs with a compensable service-  
 49 connected disability of 30 percent or more;

50 (C) define a uniformed public safety position as a:

51 (i) police officer;

52 (ii) fire fighter/rescuer;

53 (iii) deputy sheriff; or

54 (iv) correctional officer; and

55 (D) give preference points for a veteran and additional preference  
56 points for a veteran with a disability.

57 [(e)] (f) \* \* \*

58 [(f)] (g) \* \* \*

59 [(g)] (h) \* \* \*

60 [(h)] (i) \* \* \*

61 [(i)] (j) \* \* \*

62 **Sec. 2. Short Title**

63 This Act may be cited as the “Veterans in Public Safety Employment Act.”

64 **Sec. 3. Effective Date.**

65 The Council declares that this legislation is necessary for the immediate  
66 protection of the public interest. This Act takes effect on the date on which it  
67 becomes law.

68

69 *Approved:*

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George Leventhal, President, County Council Date

72 *Approved:*

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Isiah Leggett, County Executive Date

74 *This is a correct copy of Council action.*

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Linda M. Lauer, Clerk of the Council Date

## LEGISLATIVE REQUEST REPORT

Expedited Bill 10-15

*Personnel – Veteran Hiring Preference – Public Safety Position*

**DESCRIPTION:** The legislation streamlines the hiring process by converting the hiring preference for veterans and veterans with a disability who apply for a County merit uniformed public safety position in a normal competitive process from priority consideration to a numeric point system. It provides greater benefit to veterans since veterans do not need to be in the highest rating category to receive the preference points.

**PROBLEM:** Veterans, particularly those returning from combat in Iraq and Afghanistan, suffer from a high unemployment rate. The skills and experience gained by veterans while in the military make them well-suited for uniformed public safety positions. The current system of hiring preference which provides priority consideration for veterans who apply for uniformed public safety positions has been cumbersome for public safety departments to administer and has resulted in lengthy delays in filling these positions.

**GOALS AND OBJECTIVES:** This legislation will both simplify the process and assist more veterans in obtaining uniformed public safety jobs.

**COORDINATION:** Office of Human Resources

**FISCAL IMPACT:** Office of Management and Budget

**ECONOMIC IMPACT:** Office of Management and Budget

**EVALUATION:** N/A

**EXPERIENCE ELSEWHERE:** N/A

**SOURCE OF INFORMATION:** Stuart Weisberg, Office of Human Resources (x.75154)

**APPLICATION WITHIN MUNICIPALITIES:** N/A

**PENALTIES:** N/A



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

December 8, 2014

TO: George Leventhal, President  
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Expedited Bill to Convert Hiring Preference Given to Eligible Veterans Who Apply for Uniformed Public Safety Positions from Priority Consideration to a Numeric Point System

I am attaching for Council introduction an Expedited Bill, the Veterans in Public Safety Employment Act, to convert the hiring preference given to eligible veterans who apply for County merit uniformed public safety positions in a normal competitive process from priority consideration to a numeric point system.

The purpose of this bill is to both simplify the hiring process as well as to assist more veterans in obtaining uniformed public safety jobs. Veterans, particularly those returning from combat in Iraq and Afghanistan, suffer from a high unemployment rate. The skills and experience gained by veterans while in the military make them well-suited for uniformed public safety positions. This bill provides greater benefit to veterans than the present system since veterans do not need to be in the highest rating category to receive the preference points.

I am also attaching for your information a draft copy of an Executive Regulation that describes how this bill would be implemented if enacted by the Council.

Attachments

IL: sw

**Fiscal Impact Statement**  
**Council Bill XX-14 Personnel – Regulations – Veterans – Veterans with Disabilities –**  
**Hiring Preference Points – Uniformed Public Safety Positions**

**1. Legislative Summary.**

This proposed legislation would convert the hiring preference for veterans and veterans with disabilities who apply for a County merit uniformed public safety position in a normal competitive process from priority consideration to a numeric point system. This would provide a greater benefit to veterans since veterans do not need to be in the highest rating category to receive the preference points. This would simplify the process for both the employer and candidates by allowing for a single round of interviews, rather than interviewing the hiring preference candidates prior to those in the highest rating category.

**2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

This proposed legislation would require adjustments to the County's on-line employment application management system. The Enterprise Resource Planning (ERP) Office and Office of Human Resources (OHR) estimate that the changes to the system would require approximately 308 hours of ERP functional, technical expert, and OHR subject matter expert staff time, at an estimated cost of \$39,300 but that the costs will be absorbed by the departments. This total does not reflect OHR Recruitment and Selection's ongoing cost to complete the numeric point system assessments during individual recruitments. The change to a numeric point system is estimated to be an increase in effort that is not significant.

This proposed legislation would have no impact on revenues.

**3. Revenue and expenditure estimates covering at least the next 6 fiscal years.**

The estimated cost of \$39,300 is one-time only.

**4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**

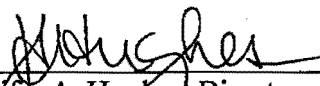
Not applicable.

**5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**

Not applicable.



6. **An estimate of the staff time needed to implement the bill.**  
ERP and OHR estimates that the changes necessary to implement the bill would require approximately 308 hours of staff time. This total does not reflect OHR Recruitment and Selection's ongoing cost to complete the numeric point system assessments during individual recruitments. The change to a numeric point system is estimated to be an increase in effort that is not significant.
  
7. **An explanation of how the addition of new staff responsibilities would affect other duties.**  
The required implementation time would be prioritized within the current staff workload.
  
8. **An estimate of costs when an additional appropriation is needed.**  
No additional appropriation is needed.
  
9. **A description of any variable that could affect revenue and cost estimates.**  
If the programming changes prove to be more complex than estimated, additional staff time could be required. The impact of this would likely be the delay of other projects.
  
10. **Ranges of revenue or expenditures that are uncertain or difficult to project.**  
Not applicable.
  
11. **If a bill is likely to have no fiscal impact, why that is the case.**  
Not applicable.
  
12. **Other fiscal impacts or comments.**  
Not applicable.
  
13. **The following contributed to and concurred with this analysis:**  
Lori O'Brien, Office of Human Resources  
Corey Orlosky, Office of Management and Budget

  
\_\_\_\_\_  
Jennifer A. Hughes, Director  
Office of Management and Budget

12/12/14  
\_\_\_\_\_  
Date

Office of Human Resources

## Hiring Preference Points for Veterans Who Apply for Uniformed Public Safety Positions

Executive Regulation No. xx-14  
Issued by: County Executive  
Supersedes: Executive Regulation No. 3-10

Authority: Montgomery County Code, 2004, §33-7(b)  
Council review: Method 1

*Montgomery County Register* Volume 31, Issue xx  
Comment deadline:

Effective date: \_\_\_\_\_

**Summary:** This regulation implements Expedited Bill No. xx-14, the Veterans in Public Safety Employment Act enacted by the Council on \_\_\_\_\_ 2014. The regulation amends Section 6 of the 2001 Montgomery County Personnel Regulations by converting the hiring preference given to eligible veterans who apply for County merit uniformed public safety positions in a normal competitive process from priority consideration to a numeric point system.

**Address for comments** Office of Human Resources, Executive Office Building, 7th Floor  
101 Monroe Street, Rockville, Maryland 20850

**Staff contact:** Stuart Weisberg, 240-777-5154, or [stuart.weisberg@montgomerycountymd.gov](mailto:stuart.weisberg@montgomerycountymd.gov)

Please use the key below when reading this regulation:

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing regulation by proposed regulation.</i>
[Single boldface brackets]	<i>Deleted from existing regulation by proposed regulation.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing or proposed regulation by amendment.</i>
* * *	<i>Existing language unchanged by executive regulation.</i>

Office of Human Resources

**SECTION 6. RECRUITMENT AND APPLICATION RATING PROCESS**

\* \* \*

**6-12. Hiring preference points for initial appointment to a County merit uniformed public safety position.**

**(a) Definitions**

- (1) **Hiring preference points:** Numeric points that are added to the passing examination score, or interview rating total, of eligible applicants who apply for County merit positions as uniformed public safety officers in a normal competitive process. When the scoring system for examinations and interviews provides for a maximum score of other than 100, the numeric points to be added will be based on a percentage of the maximum score. This will enable the preference points to carry equal weight regardless of the position applied for.
- (2) **Uniformed public safety position:** Police officer, firefighter/rescuer, correctional officer, or deputy sheriff.
- (3) **Veteran :** A person who:
  - (A) was honorably discharged or released from a branch of the United States armed services after at least 180 days of active military duty other than for training;
  - (B) was not granted a normal retirement from the United States armed services; and
  - (C) has not already used veteran's credit to receive priority consideration or preference points for appointment to a County merit position.
- (4) **Veteran with a disability:** A person who:
  - (A) meets the definition of veteran contained in (3) above; and

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Office of Human Resources

- (B) is rated by the Department of Veterans Affairs with a compensable service-connected disability of 30 percent or more.
- (b) To receive hiring preference points for a uniformed public service position under this section, an eligible applicant must apply for the preference on the application form and must provide the necessary certification or documentation within 14 calendar days after it is requested by OHR.
- (c) *Allocation of hiring preference points*
- (1) veterans with disabilities receive 10 points or 10 percent, whichever is applicable; and
  - (2) veterans without disabilities receive 5 points or 5 percent, whichever is applicable; and
- (d) *Application of hiring preference points to selection process*
- (1) Hiring preference points under this section may be used by an applicant to apply for multiple County uniformed public safety positions. If an applicant obtains an appointment to a County uniform public safety merit position using the preference points, the points cannot be used again.
  - (2) Preference points cannot be used to help an applicant meet the minimum qualifications for a uniformed public safety merit position.
  - (3) Preference points cannot be used to help an applicant achieve a passing score on an examination. If a written or oral examination is required for the position, an applicant must achieve a passing score before any preference points can be added.
  - (4) Where the department selection process is based solely on a written or oral examination score, the points are added to the applicant's passing examination score.
  - (5) Where the department selection process requires an applicant to take a pass/fail examination and all applicants who pass the exam are then

Hiring Preference Points for Veterans Who Apply for Uniformed  
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interviewed, the points are added to the interview score.

[6-12]

6-13. Selection process. \* \* \*

[6-13]

6-14. Appeals by applicants. \* \* \*

Approved: \_\_\_\_\_

Isiah Leggett, County Executive

\_\_\_\_\_

Date

Approved as to form and legality:

Aune T. Windie

Office of the County Attorney

11/17/14

Date