

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 8

Bill No. 43-2010

Introduced by: The Chairperson at the request of the County Executive

AN ACT providing that an eligibility list for vacant positions shall remain in effect for a year; providing for certain extensions under certain conditions; clarifying the duration of certain applications; clarifying the requirement for physical examinations; making certain technical corrections; and generally related to Human Resource provisions in the Howard County Code.

Introduced and read first time _____, 2010. Ordered posted and hearing scheduled.

By order _____
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2010.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2010 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2010 at ____ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2010

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that
2 subsections (d), (e) and (f) of Section 1.112 “Filling of positions in the classified
3 service” of Part II “Merit System” of Subtitle 1 “Human Resources Administration” of
4 Title 1 “Human Resources” of the Howard County Code is amended to read as follows:

5
6 **Howard County Code.**

7 **Subtitle 1. Human Resources Administration.**

8 **Part II. Merit System.**

9
10 **Section 1.112. Filling positions in the classified service.**

11 (d) *Duration of Active Application.* If an Applicant meets the minimum qualifications of
12 the position classification, the Human Resources Administrator shall maintain the
13 application UNTIL THE VACANCY IS FILLED.

- 14 [[(1) For six months following the application filing deadline if the application
15 is for a position for which an unassembled examination is required; and
16 (2) For up to 12 months following the application filing deadline if the
17 application is for a position for which a written examination is required.]]

18 (e) *Eligibility List.*

- 19 (1) If the Personnel Officer approves an employee requisition request, the
20 Human Resources Administrator shall provide the appointing authority
21 with an alphabetical eligibility list of at least three and up to ten names of
22 applicants who are most qualified for the position based on:
23 (i) The results of open, competitive examinations; or
24 (ii) An examination of an application, resume, or other information
25 provided by the Applicant.
26 (2) UNLESS EXTENDED, [[An]] AN eligibility list shall expire [[six months]]
27 ONE YEAR after it is established. THE EXPIRATION DATE FOR AN
28 ELIGIBILITY LIST MAY BE EXTENDED AT THE REQUEST OF THE APPOINTING
29 AUTHORITY AND UPON APPROVAL OF THE PERSONNEL OFFICER.

- 1 (3) If multiple vacancies occur in the same position classification, the Human
2 Resources Administrator may place the name of one additional candidate
3 on the eligibility list for each additional vacancy authorized to be filled.
- 4 (4) A current employee in the same position classification as the vacant
5 position who applies shall be considered eligible for the position, and the
6 Human Resources Administrator shall add the employee's name to the
7 eligibility list regardless of the number of other names on the list.
- 8 (5) After conducting an interview of all available applicants, the appointing
9 authority shall select a candidate from the eligibility list. The appointing
10 authority shall forward justification for the selection to the Human
11 Resources Administrator.
- 12 (6) If the appointing authority does not select a candidate from an eligibility
13 list, the appointing authority shall provide a written justification for the
14 rejection of the list to the Human Resources Administrator.
- 15 (7) An appointing authority may fill a position by transferring an employee
16 from one position to another in the same position classification within the
17 Department, or from one position to another in a different position
18 classification in the same or lower grade within the Department if:
- 19 (i) The Personnel Officer determines that the individual is qualified
20 for the position; and
- 21 (ii) Except as provided in subsection 1.115(c)(2) of this subtitle, the
22 employee agrees to the transfer.
- 23 (8) An appointing authority may fill a position by transferring an employee
24 from a position in one Department to a position in another Department in
25 the same position classification or in a different position classification in
26 the same or lower grade if:
- 27 (i) The Personnel Officer determines that the individual is qualified
28 for the position; and
- 29 (ii) The appointing authorities of both Departments and the employee
30 agree to the transfer.

31 (f) *Offer of Employment.*

- 1 (1) After receipt of the name of an individual selected under subsection (e)(5) of this
2 section, the Human Resources Administrator shall forward the name to the
3 Personnel Officer, who shall extend an offer of employment to the individual.
- 4 (2) An offer of employment [[is]] MAY BE subject to the selected individual passing a
5 physical examination as specified by the Personnel Officer.

6

7 ***Section 2. And Be It Further Enacted by the County Council of Howard County,***
8 ***Maryland, that this Act shall become effective 61 days after its enactment.***