

**Department of Legislative Services**  
Maryland General Assembly  
1999 Session

**FISCAL NOTE**  
**Revised**

Senate Bill 692 (Senator Blount. *et al.*)

Finance

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**State Personnel - Grievance Procedures - Award of Attorney's Fees**

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This bill provides that a grievant under the State Personnel Management System who prevails in a grievance proceeding under certain circumstances is entitled to reimbursement from the employing unit for reasonable attorney's fees incurred in connection with the grievance proceeding, in addition to any other remedies.

The circumstances in which reimbursement of attorneys' fees would be available are as follows:

1. an initial decision by an administrative law judge that was appealed by the grievant to a circuit court;
2. a decision by the circuit court to remand the case to the administrative law judge to determine the case on its merits;
3. a decision in favor of the grievant by the administrative law judge on the remanded case and that was appealed to the circuit court; and
4. a final decision in favor of the grievant by a circuit court on the administrative law judge's decision on the remanded case.

This bill takes effect July 1, 1999 and is retroactive to final decisions on grievances issued on or after February 28, 1997. The bill sunsets on June 30, 2000.

**State Effect:** It is assumed that the bill will apply to less than five individuals. The amount of reimbursable attorneys' fees cannot be reliably estimated at this time but is assumed to be less than \$50,000 per grievant.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Information Source(s):** Department of Budget and Management, Office of Administrative Hearings, Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 1999  
Inc/jr Revised - Senate Third Reader - April 12, 1999

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