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By: **Washington County Delegation**

Introduced and read first time: February 7, 2001

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Contractual Employees - Break In Service**

3 FOR the purpose of providing that a contractual employee who has a break in service  
4 for a certain period of time, who is employed in a certain position during that  
5 break in service, and who is selected to fill a certain budgeted position, shall be  
6 given credit for service in the contractual position for the purpose of establishing  
7 steps in the pay grade applicable to the budgeted position, annual leave, and  
8 seniority rights and shall become a member of the Employees' Pension System of  
9 the State of Maryland; providing for the application of this Act; and generally  
10 relating to the rights of contractual employees who have experienced a break in  
11 service and are selected to fill budgeted positions.

12 BY repealing and reenacting, with amendments,  
13 Article - State Personnel and Pensions  
14 Section 13-304  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 2000 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - State Personnel and Pensions**

20 13-304.

21 (A) THIS SECTION APPLIES TO A CONTRACTUAL EMPLOYEE WHO:

22 (1) WITHOUT A BREAK IN SERVICE, TRANSFERS TO A BUDGETED  
23 POSITION UNDER THIS SUBTITLE OR WHO IS SELECTED TO FILL A BUDGETED  
24 POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME  
25 PRINCIPAL UNIT THAT EMPLOYS THE CONTRACTUAL EMPLOYEE; OR

26 (2) (I) AFTER A BREAK IN SERVICE, HAS COMPLETED 1 YEAR OF  
27 EMPLOYMENT IN A BUDGETED POSITION UNDER THIS SUBTITLE OR A BUDGETED  
28 POSITION IN THE STATE PERSONNEL MANAGEMENT SYSTEM IN THE SAME

1 PRINCIPAL UNIT THAT EMPLOYED THE CONTRACTUAL EMPLOYEE PRIOR TO THE  
2 BREAK IN SERVICE;

3 (II) DID NOT INCUR A BREAK IN SERVICE FOR MORE THAN ONE  
4 YEAR; AND

5 (III) DURING THE BREAK IN SERVICE WAS EMPLOYED IN A  
6 POSITION THAT WAS SIMILAR IN DUTIES AND RESPONSIBILITIES TO THE  
7 CONTRACTUAL POSITION.

8 [(a)] (B) A contractual employee [who transfers to a budgeted position under  
9 this subtitle or who is selected to fill a budgeted position in the State Personnel  
10 Management System, without a break in service, in the same principal unit that  
11 employs the contractual employee,] shall be given credit for service in the contractual  
12 position for the purpose of establishing:

13 (1) steps in the pay grade applicable to the budgeted position;

14 (2) annual leave; and

15 (3) seniority rights.

16 [(b)] (C) A contractual employee who transfers to a budgeted position under  
17 this subtitle or who is selected to fill a budgeted position shall become a member of  
18 the Employees' Pension System of the State of Maryland.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act  
20 shall apply to a contractual employee who transfers to or is selected to fill a budgeted  
21 position on or after July 1, 2000.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2001.