

SENATE BILL 955

P4

71r3332
CF HB 1250

By: **Senator Edwards**

Introduced and read first time: February 28, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Appointments in Skilled and Professional Services –**
3 **Veterans**

4 FOR the purpose of requiring the Department of Budget and Management to adopt a
5 uniform numerical point rating system for determining if a candidate meets
6 certain qualifications; requiring an appointing authority to use a certain
7 selection process that ensures compliance with State and federal laws and
8 consistency in recruitment and hiring; requiring an appointing authority to
9 apply a credit of a certain number of points to the examination score or rating
10 score of certain eligible veterans, spouses of certain eligible veterans, former
11 prisoners of war, or eligible veterans who are recipients of a Purple Heart
12 applying for certain positions in the State Personnel Management System;
13 requiring an appointing authority to consider service in the armed forces of the
14 United States under certain circumstances in the evaluation of relevant work
15 experience; requiring certain eligible veterans that are laid off to be considered
16 to displace certain other employees under certain circumstances; making a
17 certain conforming change; defining a certain term; and generally relating to
18 appointments in the State Personnel Management System and veterans.

19 BY repealing and reenacting, with amendments,
20 Article – State Personnel and Pensions
21 Section 7–201(c), 7–206(a), 7–207(a) and (c), and 11–207
22 Annotated Code of Maryland
23 (2004 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Personnel and Pensions**

4 7–201.

5 (c) To ensure compliance with State and federal employment laws and to
6 ensure consistency in recruitment and hiring practices in the State Personnel
7 Management System, the Department shall:

8 (1) assist units in developing application forms, position selection
9 plans, selection tests, and announcement forms; [and]

10 **(2) ADOPT A UNIFORM NUMERICAL POINT RATING SYSTEM FOR**
11 **DETERMINING IF A CANDIDATE MEETS THE MINIMUM QUALIFICATIONS FOR THE**
12 **CLASS OF THE POSITION AND ANY SELECTIVE QUALIFICATIONS; AND**

13 ~~[(2)]~~ **(3)** review and audit recruitment and hiring practices of all
14 appointing authorities at least once every 3 years.

15 7–206.

16 (a) (1) An appointing authority [may] **SHALL** use [any appropriate] A
17 selection process **DEVELOPED IN ACCORDANCE WITH § 7–201(C) OF THIS**
18 **SUBTITLE** to rate qualified applicants.

19 (2) A unit must be able to establish the job relatedness, reliability, and
20 validity of the selection tests that it uses.

21 7–207.

22 (a) ~~[A]~~ **EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**
23 credit under this section shall be applied to an applicant’s score on any selection test
24 administered to establish placement on a list of eligible candidates for which the
25 applicant otherwise is qualified and has at least the minimum passing score on a
26 selection test.

27 (c) (1) In this subsection, “eligible veteran” means a veteran of any
28 branch of the armed forces of the United States who has received an honorable
29 discharge or a certificate of satisfactory completion of military service, including the
30 National Guard and the military reserves.

1 (2) (i) An appointing authority shall apply a credit of ten points
2 [on any selection test] **TO THE EXAMINATION SCORE OR RATING SCORE** for:

- 3 1. an eligible veteran;
- 4 2. the spouse of an eligible veteran who has a service
5 connected disability; or
- 6 3. the surviving spouse of a deceased eligible veteran.

7 (ii) An appointing authority shall apply a credit of two
8 additional points [on any selection test for] **TO THE EXAMINATION SCORE OR**
9 **RATING SCORE FOR:**

- 10 1. an eligible veteran who has a service connected
11 disability; [or]
- 12 2. a former prisoner of war; **OR**
- 13 3. **AN ELIGIBLE VETERAN WHO IS A PURPLE HEART**
14 **RECIPIENT.**

15 (3) The following applicants are ineligible for a credit under this
16 subsection:

- 17 (i) a current State employee; and
- 18 (ii) an eligible veteran who is convicted of a crime after being
19 discharged from or completing military service.

20 **(4) IN EVALUATING RELEVANT WORK EXPERIENCE FOR AN**
21 **APPLICANT, THE APPOINTING AUTHORITY SHALL CONSIDER AN ELIGIBLE**
22 **VETERAN’S SERVICE IN THE ARMED FORCES OF THE UNITED STATES AS:**

23 **(I) AN EXTENSION OF THE WORK PERFORMED**
24 **IMMEDIATELY PRIOR TO THE SERVICE;**

25 **(II) EXPERIENCE BASED ON THE ACTUAL DUTIES**
26 **PERFORMED IN THE SERVICE; OR**

1 **(III) A COMBINATION OF BOTH.**

2 11-207.

3 (a) An employee being laid off may displace another employee who has the
4 least seniority points:

5 (1) in the same class or job series as the employee being laid off; or

6 (2) in any other class in which the laid-off employee previously held
7 satisfactory nonprobationary status within the 36 months immediately prior to the
8 effective date of the layoff.

9 (b) Subsection (a) of this section shall apply:

10 (1) first to the employee's current appointing authority regardless of
11 geographical area;

12 (2) if the provisions in paragraph (1) of this subsection are not
13 available, to the employee's current principal unit; or

14 (3) a secretary or head of a State principal unit may limit the
15 displacement within the principal unit to one or more of the established geographical
16 areas as prescribed by the Secretary.

17 **(C) (1) IN THIS SUBSECTION, "ELIGIBLE VETERAN" HAS THE**
18 **MEANING STATED IN § 7-207(C) OF THIS ARTICLE.**

19 **(2) AN ELIGIBLE VETERAN WITH A 10% OR HIGHER DISABILITY**
20 **RATING BEING LAID OFF SHALL BE CONSIDERED TO DISPLACE ANOTHER**
21 **EMPLOYEE BEFORE OTHER EMPLOYEES IN THE SAME CLASS AND WITH THE**
22 **SAME AMOUNT OF SENIORITY POINTS.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2007.