

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1435

(Chair, Appropriations Committee)

(By Request – Departmental – Veterans Affairs)

Appropriations

Finance

State Employees - Veterans Seniority Points

This departmental bill requires an appointing authority to award 10 seniority points to an eligible veteran when computing points for employees subject to layoff. An additional 2 points must be awarded to an eligible veteran who is a former prisoner of war or has a service-connected disability. An eligible veteran convicted of a crime after completing military service does not qualify for this consideration.

Fiscal Summary

State Effect: None. The change would not directly affect State finances.

Local Effect: None.

Small Business Effect: The Department of Veterans Affairs has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: Employee layoffs occur when an employee is in a position that will be abolished, discontinued, or vacated because of a change in organization or because of a stoppage or lack of work. This definition does not include a separation that occurs because a position has been specifically abolished by the General Assembly or budgeted funds are not available.

At least 60 days before a layoff is effective, an appointing authority must give notice to each employee affected by the layoff. Employees in a class are laid off based on their number of seniority points, which accrue based on length of State employment, length of employment in the affected principal unit, and length of employment in the affected job series. Reinstatements are also ordered on these criteria. These policies and procedures apply only to skilled and professional employees in the State Personnel Management System.

Background: The bill requires an appointing authority to award seniority points based on military service when determining which employees are subject to layoff. The proposed criteria are similar to the process for awarding additional credit to applicants for a skilled or professional service position in the State Personnel Management System.

State law authorizes an appointing authority that advertises a skilled or professional service position to use any appropriate selection process to rate qualified applicants. If a selection test is used, the test must be free of charge and open to all qualified applicants.

A qualified applicant who achieves a passing score on a selection test may qualify for additional credit if he or she has previous State service, resides in the State, qualifies as an eligible veteran, is the spouse of an eligible veteran with a service-related disability, or is the spouse of a deceased eligible veteran. Additional credit may also be granted under certain circumstances to an applicant for a position at a qualified prison facility or the Baltimore Juvenile Justice Center if the applicant resides in proximity to the facility.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Veterans Affairs, Maryland Department of Transportation, Department of Budget and Management, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2008
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