



Maryland

DEPARTMENT OF BUDGET
AND MANAGEMENT

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HOUSE BILL 139 State Personnel - Professional Service - Juvenile Services Education Teachers and Correction Education Teachers (Luedtke)

STATEMENT OF INFORMATION

DATE: January 27, 2022

COMMITTEE: House Ways & Means

SUMMARY OF BILL: HB 139 seeks to modify the employment status of certain teacher positions in the Department of Juvenile Services(DJS) and the Department of Labor (Labor) and places them in the professional services category in the State Personnel Management System.

EXPLANATION: HB 139 attempts to convert teachers at DJS and Labor from at will employees to merit protected status.

A long-standing practice in the State is to not simply convert at-will employees to merit protected positions without a competitive recruitment. Typically, these positions are only converted to merit upon vacancy. Incoming employees would then gain merit-protected status after going through the state's competitive selection process, which is a fundamental tenet of the merit system. Typically, similar legislation has included provisions that make employees merit protected only upon vacancy, including major personnel reform legislation (Ch. 690 of 2009) that repealed the automatic at-will status of a number of groups of employees throughout the State government. Therefore, employees hired into those positions would be hired on a competitive basis.

The Department respectfully suggests that the following amendment to HB 13 is appropriate. On page 3, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That a position identified to change employment category as a result of Section 1 of this Act shall remain an at-will position until the position becomes vacant.”

On page 3, in line 16, renumber “SECTION 2” to “SECTION 3”.

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