Introduced 03.03.2025
Public Hearing 03.17.2025
Council Action 04.07.2025
Executive Action 04.10.2025
Effective Date 04.10.2025

County Council of Howard County, Maryland

2025 Legislative Session — Legislative Day No. 3

Bill No. 14 -2025

Introduced by: The Chairperson at the request of the County Executive

Short Title: Classified service eligibility lists – Federal employees and contractors – emergency legislation

Title: AN ACT providing that certain federal employees and contractors who meet the minimum qualifications for a position in the classified service may be placed on an eligibility list; generally relating to filling positions in the classified service; providing for the application of this Act; and declaring that this Act is an Emergency Bill necessary to meet an emergency affecting the public health, safety, or welfare .

Introduced and read first time March 3, 2025. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on March 17, 2025.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on April 7, 2025 and Passed ___, Passed with amendments ✓, Failed _____.

By order Michelle Harrod
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8 day of April, 2025 at 2:00 a.m./(p.m.)

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive April 10, 2025

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

Section 1. Be It Enacted *by the County Council of Howard County, Maryland, that the Howard County Code is amended as follows:*

By amending

Title 1, Human Resources.

Section 1.112, Filling positions in the classified service.

Title 1. Human Resources.

Subtitle 1. Human Resources Administration.

Part II. Merit System.

Section 1.112. Filling positions in the classified service.

(a) *Appointments Made on the Basis of Merit.* Appointments to positions in the classified service shall be made on the basis of merit from an eligibility list that shall include internal applicants or a combination of both external and internal applicants. For purposes of this section, an internal applicant is an applicant who is employed by Howard County Government at the time of application and an external applicant is an applicant who is not employed by Howard County Government at the time of application.

(b) *Vacancies.* An appointing authority who wishes to fill a budgeted vacant position in the classified service shall submit an employee requisition form to the Personnel Officer.

(c) *Job Announcements.*

(1) The Human Resources Administrator shall give public notice of the intent to:

(i) Fill one or more positions; or

(ii) Accept applications for future vacancies.

(2) When an application deadline is established, the notice under paragraph (1) of this subsection shall be given at least two weeks in advance of the application filing deadline.

(3) Notice may be given by means of announcements posted on official County bulletin boards in County facilities, in police and fire stations, in any courthouse, and any other place the Human Resources Administrator deems proper. When deemed appropriate by

the Human Resources Administrator, a notice may be advertised in local newspapers or other media.

(4) A job announcement shall state:

(i) The title, grade, and the range for pay for the position for which applications are sought;

(ii) The nature of the work to be performed;

(iii) The education and work experience requirements of the position;

(iv) The examination requirement, if any;

(v) Any prerequisites for eligibility; and

(vi) Any limitations on criteria for the position, including any criteria that limit consideration to current employees of Howard County Government.

(5) Applications shall be made on forms prescribed by the Human Resources Administrator, and shall contain information relating to the education, work experience, training, and residence of the applicant, and shall contain a certification by the applicant of the accuracy of the statements made therein.

(d) *Duration of Active Application.* If an applicant meets the minimum qualifications of the position classification, the Human Resources Administrator shall maintain the application until the vacancy is filled.

(e) *Eligibility List.*

(1) If the Personnel Officer approves an employee requisition request, the Human Resources Administrator shall provide the appointing authority with an alphabetical eligibility list based on:

(i) The results of open, competitive examinations;

(ii) The results of an internal promotion exam; or

(iii) An examination of an application, resume, or other information provided by the applicant.

(2) Except as provided in paragraph (10) of this subsection, the eligibility list shall consist of at least three and up to ten names of applicants who are most qualified for the position plus: [[up]]

(I) UP to an additional five names of applicants who:

[[(i)]]A. Were among the next five most highly qualified applicants; and

[[(ii)]]B. Qualified for a preference under section 1.122A of this subtitle[[.]]; AND

(II) UP TO AN ADDITIONAL FIVE NAMES OF APPLICANTS WHO:

A. ARE FEDERAL EMPLOYEES WHO MEET THE DEFINITION OF A SURPLUS OR DISPLACED EMPLOYEE AND RECEIVED OFFICIAL NOTICE THAT THEIR JOBS ARE NO LONGER NEEDED, OR NOTICE THEY WILL LOSE THEIR JOBS, AS A RESULT OF THE 2025 FEDERAL REDUCTION IN FORCE; OR FEDERAL CONTRACTORS WHOSE CONTRACTS WITH THE FEDERAL GOVERNMENT HAVE BEEN TERMINATED OR SUSPENDED DUE TO THE 2025 FEDERAL REDUCTION IN FORCE; AND

B. MEET THE QUALIFICATIONS AND OTHER REQUIREMENTS OF THE JOB THEY ARE APPLYING FOR.

(3) Unless extended, an eligibility list shall expire one year after it is established. The expiration date for an eligibility list may be extended at the request of the appointing authority and upon approval of the Personnel Officer.

(4) If multiple vacancies occur in the same position classification, the Human Resources Administrator may place the name of one additional candidate on the eligibility list for each additional vacancy authorized to be filed.

(5) A current employee in the same position classification as the vacant position who applies shall be considered eligible for the position, and the Human Resources Administrator shall add the employee's name to the eligibility list regardless of the number of other names on the list.

(6) After conducting an interview of all available applicants, the appointing authority shall select a candidate from the eligibility list. The appointing authority shall forward justification for the selection to the Human Resources Administrator.

(7) If the appointing authority does not select a candidate from an eligibility list, the appointing authority shall provide a written justification for the rejection of the list to the Human Resources Administrator.

(8) An appointing authority may fill a position by transferring an employee from one position to another in the same position classification within the Department, or from one position to another in a different position classification in the same or lower grade within the Department if:

(i) The Personnel Officer determines that the individual is qualified for the position; and

(ii) Except as provided in subsection 1.115(c)(2) of this subtitle, the employee agrees to the transfer.

(9) An appointing authority may fill a position by transferring an employee from a position in one Department to a position in another Department in the same position classification or in a different position classification in the same or lower grade if:

(i) The Personnel Officer determines that the individual is qualified for the position; and

(ii) The appointing authorities of both Departments and the employee agree to the transfer.

(10) An eligibility list may have fewer than three applicants if the Office of Human Resources has determined that a reasonable search has been conducted.

(f) *Offer of Employment.*

(1) After receipt of the name of an individual selected under subsection (e)(6) of this section, the Human Resources Administrator shall forward the name to the Personnel Officer, who shall extend an offer of employment to the individual.

(2) An offer of employment may be subject to the selected individual passing a physical examination as specified by the Personnel Officer.

(g) *Probationary Period.*

(1) Upon initial appointment to a position in the classified service, an employee is a probationary employee. Time spent in a designated trainee class is considered a probationary period.

(2) An appointing authority may terminate a probationary employee:

(i) Upon giving up to two weeks' notice of termination; or

(ii) Upon payment of up to two weeks' severance pay in-lieu-of notice of termination.

(3) At the end of the probationary period, the appointing authority shall notify the Human Resources Administrator that the appointing authority recommends:

(i) That the employee be placed in the classified service;

(ii) That the employee's probationary period be extended for a period not to exceed six months; or

(iii) That the employee be terminated because the employee's performance does not meet the required performance standards for the position or job assignment.

(4) A termination under paragraph (2) or under paragraph (3)(iii) of this section is not appealable.

(5) (i) A classified employee who is promoted shall serve a probationary period equal to the length of the probationary period for that position.

(ii) If a classified employee is promoted and, during the probationary period, the appointing authority determines that the employee's performance does not meet the required performance standards for the new position, the appointing authority may dismiss the employee.

(iii) If a classified employee is dismissed under this paragraph, the appointing authority shall make a good faith effort to place the employee in a vacant position before the employee is terminated.

(iv) Movement from a designated trainee class to a full performance class is not a promotion.

Section 2. And Be It Further Enacted, *by the County Council of Howard County, Maryland that an emergency exists because a mass layoff of federal employees and federal contractors ~~will impact County revenues and taxes and will place a strain on County services~~ could impact County residents and the overall County economy.*

Section 3. And Be It Further Enacted *by the County Council of Howard County, Maryland that the authority to add up to five federal employees or federal contractors to eligibility lists as established by this Act shall remain in effect through the end of Fiscal Year 2026 (June 30, 2026) and, at the end of Fiscal Year 2026, with no further action required by the County Council, changes made to Section 1.112(e)(2) of the County Code shall be abrogated and of no further force and effect.*

Section 4. And Be It Further Enacted *by the County Council of Howard County, Maryland that this Act is adopted as an emergency measure to address an immediate emergency affecting the public health, safety or welfare and, having been passed, by two-thirds of its members, this Act*

shall be effective immediately upon its enactment.

Amendment 1 to Council Bill No. 14-2025

BY: The Chairperson at the request of the County Executive

Legislative Day No. 5
Date: April 7, 2025

Amendment No. 1

(This amendment corrects the clarifies the emergency that exists.)

On page 5, in line 18, strike "*will*".

On page 5, strike line 19 in its entirety and substitute "*could impact County residents and the overall County economy.*".

I certify that this a true copy of
Am 1 to CB 14-2025
passed on April 7, 2025
Michelle Harrod
Council Administrator

Howard County
Internal Memorandum

SUBJECT: Council Testimony and Fiscal Impact Statement
Classified Service Eligibility Lists – Federal Employees and Contractors – Emergency Legislation

TO: Brandee Ganz
Chief Administrative Officer

FROM: Anju A. Bennett
Administrator, Office of Human Resources

DATE: February 19, 2025

The Administration supports and urges the passage of Council Bill No. ___-2025 which amends the County Code provisions related to eligibility lists of qualified candidates for position vacancies. The eligibility lists are used to consider candidates to fill vacancies in the Classified service. The legislation will allow an additional five (5) names of applicants for consideration by the hiring department, as long as the applicant is a federal employee who meets the definition of a surplus or displaced employee and has received an official notice that their job is no longer needed or that they will lose their job as part of the 2025 Federal reduction in force. Federal contractors whose contracts have been terminated or suspended due to the 2025 reduction in force, will also be considered as part of these amendment. Any applicants placed on eligibility lists must meet the minimum qualifications for the vacancy and be the next most highly qualified applicants for the vacancy.

Once placed on an eligibility list, the Office of Human Resources will proceed with the regular process for hiring within the Classified service as set forth in Section 1.112 of the County Code.

This legislation is being submitted as emergency legislation pertaining to a public emergency affecting health, safety or welfare. Mass unemployment from the Federal reduction in force will significantly impact County revenues and taxes and will place a strain on County services.

The code changes proposed by this legislation shall sunset on June 30, 2026.

Fiscal Impact

This legislation only authorizes candidates to be placed on the eligibly list of qualified individuals who can be considered to fill a vacancy in the Classified service. There is no fiscal impact from this amendment, and the process set forth in the County Code for filling vacancies in the Classified service would continue to be followed.

Introduced 03.03.2025
Public Hearing_____
Council Action_____
Executive Action_____
Effective Date_____

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By order Michelle Harrod
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2025.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2025 and Passed ___, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___day of _____, 2025 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2025

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Calvin Ball, County Executive

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(4) A termination under paragraph (2) or under paragraph (3)(iii) of this section is not appealable.

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(ii) If a classified employee is promoted and, during the probationary period, the appointing authority determines that the employee's performance does not meet the required performance standards for the new position, the appointing authority may dismiss the employee.

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Section 4. And Be It Further Enacted *by the County Council of Howard County, Maryland that this Act is adopted as an emergency measure to address an immediate emergency affecting the public health, safety or welfare and, having been passed, by two-thirds of its members, this Act shall be effective immediately upon its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 10, 2025.

Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2025.

_____
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2025.

_____
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2025.

_____
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2025.

_____
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2025.

_____
Michelle R. Harrod, Administrator to the County Council