GO/PS Item 1
April 2, 2015
Worksession

MEMORANDUM

March 31, 2015

TO: Government Operations and Fiscal Policy Committee
Public Safety Committee

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: **Worksession:** Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position

Expected attendees:

Shawn Stokes, Human Resources Director
Stuart Weisberg, Human Resources
Melissa Davis, Human Resources
Assistant Sheriff Bruce Sherman
Edward Radcliffe, Assistant Chief, Labor Relations, MCFRS
David Anderson, Captain, MCPD

Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position, sponsored by the Council President at the request of the County Executive and Councilmember Katz, was introduced on March 3, 2015. A public hearing was held on March 17.

Background

Bill 10-15 would establish a hiring preference for the initial appointment of a qualified veteran or a veteran with a disability for a uniformed public safety position. It also requires the Executive to adopt regulations implementing this hiring preference. The Executive attached a draft regulation that would implement this law. See ©9-12.

The current law already requires priority consideration for a veteran or a veteran with a disability who applies for a merit position and is rated in the highest rating category. Bill 10-15 would provide a point preference for a veteran or a veteran with a disability who applies for a uniformed public safety position without requiring the applicant to be rated in the highest rating category. The Bill would continue to require priority consideration for a veteran or a veteran with a disability who applies for a merit position that is not a uniformed public safety position. A uniformed public safety position would be defined as a police officer, fire fighter/rescuer, deputy sheriff, or correctional officer.

Public Hearing

The sole speaker, Stuart Weisberg, Office of Human Resources, representing the Executive, supported the Bill. ©13. Mr. Weisberg said that the current "priority consideration" for a veteran and veteran with a disability has been cumbersome for public safety departments to administer. The Executive believes that the point preference established by the Bill would be simpler to administer and more effective. Sheriff Darren M. Popkin submitted a letter requesting that deputy sheriffs be excluded from the Bill. ©14-15. According to Sheriff Popkin, State law authorizes the Sheriff to appoint each deputy sheriff and that the appointment process is not subject to the County Personnel Regulations.

Issues

1. What is the fiscal and economic impact of the Bill?

OMB estimated that the Bill would require adjustments to the County's online employment application management system. These one-time adjustments would require approximately 308 hours of staff time to implement at an estimated cost of $39,300. ©7-8. OMB estimated that the expected increase in effort to apply the point preference in individual recruitments would not be significant.

We did not receive an economic impact statement.

2. How would the point preference be applied for each uniformed public safety position?

The Office of Human Resources explained the recruitment process to Council staff for each public safety department as follows:

(a) *Police.* The Department administers a written examination on a pass-fail basis. If an applicant passes the exam with a 60% or better score, the applicant receives an oral interview. An applicant receives a numeric score for the interview and selections are made from those that score in the well qualified category on the interview. Preference points would be added to the applicant's interview score.

(b) *Fire and Rescue.* The Department administers a written examination on a pass-fail basis. The Department interviews each applicant who passes the exam. The applicants with the top scores in the interview are given offers. Preference points would be added to the interview score.

(c) *Corrections.* The Department administers a written examination. An applicant passes with a score of at least 70%. An applicant must score at least 80% to be rated well qualified. There are no interviews. Candidates are selected based upon the exam score. Preference points would be added to the exam score.

(d) *Sheriff.* The Department administers a written examination. An applicant passes with a score of at least 60%. An applicant must score at least 70% to be rated well qualified. Well qualified applicants are interviewed. Preference points would be added to the exam score to help an applicant reach the interview stage.

3. Should deputy sheriffs be excluded from the Bill?

Sheriff Popkin requested the Bill be amended to exclude deputy sheriffs. ©14-15. Sheriff Popkin argued that Md. Code, Courts Article, §2-309(q)(3)(i) authorizes the Sheriff to appoint "the number of deputies provided in the county budget." Section 2-309(q)(4)(ii) provides that each deputy sheriff appointed by the Sheriff must be considered "for all purposes as Montgomery County merit system employees and subject to the Montgomery County merit system law, personnel regulations, and applicable collective bargaining agreement." The Sheriff argues that pursuant to this State law, the Sheriff has total control over the recruitment and appointment of a deputy sheriff, but after appointment, the deputy sheriff is subject to the County merit system. Since Bill 10-15 would only affect the recruitment and appointment of a deputy sheriff, the Sheriff argues that Bill 10-15 should not apply to deputy sheriffs.[1]

Historically, the Office of Human Resources has handled the recruitment process for the Sheriff. However, the Sheriff is a Consitutional Officer created by State law rather than County law. The Sheriff's analysis of these State laws is reasonable and consistent with a recent decision of the County Merit System Protection Board declining to hear an appeal by an applicant for a position with the Sheriff. **Council staff recommendation:** amend the Bill to remove deputy sheriffs.

The Bill could be amended to remove deputy sheriffs by amending lines 50-54 as follows:

(C) define a uniformed public safety position as a:

(i) police officer;

(ii) fire fighter/rescuer; or

(iii) [[deputy sheriff; or

(iv)]] correctional officer; and

4. Should the Bill be enacted?

Md Local Govt §1-204 requires each County to provide a "special credit" for a veteran who applies for a merit position. This State law also authorizes each County to provide a greater credit to a veteran with a disability. The nature and extent of the special credit is left to County legislation. County law already provides a preference for a veteran or a veteran with a disability. Bill 10-15 does not create new public policy.[2] It simply changes how this preference would be applied. Providing a point preference would be easier to administer. However, it would permit the hiring of an applicant who would not be in the highest rating category without the preference. The current priority consideration only applies to an applicant in the highest rating category. Bill 10-15 would apply the point preference only to the initial appointment of a qualified veteran. **Council staff recommendation:** enact the Bill with the amendment described above.

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[1] Sheriff Popkin pointed out that 25% of the sworn deputy sheriffs are military veterans.

[2] A preference for a veteran or a veteran with a disability may create an adverse impact on women applicants since the majority of veterans are men.

This packet contains:

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Expedited Bill No. 10 -15
Concerning: Personnel – Veteran Hiring Preference – Public Safety Position
Revised: March 11, 2015 Draft No. 3
Introduced: March 3, 2015
Expires: September 3, 2016
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive and Councilmember Katz

AN EXPEDITED ACT to:

(1) establish a hiring preference for a qualified veteran or a veteran with a disability who applies for a uniformed public safety position;
(2) require the Executive to adopt regulations implementing this hiring preference; and
(3) generally amend the merit system law governing competitive hiring for merit system positions.

By amending
Montgomery County Code
Chapter 33, Personnel and Human Resources
Sections 33-7

Boldface	*Heading or defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets]	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets]]	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland approves the following Act

Sec. 1. Sections 33-7 is amended as follows:

33-7. County Executive and Merit System Protection Board responsibilities

* * *

(d) *Hiring persons with disabilities.*

* * *

(3) Competitive appointment.

(A) Except as provided in Subsection (e), [The] the regulation must establish and maintain a preference [for the initial appointment of a qualified person with a disability into a merit system position] under the following order of preference:

(i) an employee who is unable to perform the employee's job because of a disability or injury under the ADA;

(ii) an employee subject to reduction-in-force;

(iii) an employee who was granted a temporary disability retirement under the Employees Retirement System or an initial or temporary disability benefit of any type under the Retirement Savings Plan or the Guaranteed Retirement Income Plan but is no longer eligible for such a temporary disability retirement or benefit;

(iv) a veteran with a disability;

(v) an equal preference for a veteran without a disability and a non- veteran with a disability.

(B) This regulation must only apply the preference in Subparagraphs (A)(iv) and (A)(v) [to] for the initial

28 appointment of a qualified [a] person to a merit system
29 position who is among the highest rating category in a
30 normal competitive process.
31 * * *
32 (e) *Hiring Veterans for Uniformed Public Safety Positions.*
33 (1) Findings.
34 (A) Veterans, particularly those returning from combat in Iraq and
35 Afghanistan, suffer from a high unemployment rate.
36 (B) The skills and experience gained by veterans while in the
37 military are helpful assets for serving in uniformed public
38 safety positions.
39 (2) Regulation. The Executive must establish by personnel regulation,
40 under Method (1), standards for a hiring preference point system for
41 the initial appointment of a qualified veteran who applies for a merit
42 uniformed public safety position in a normal competitive process.
43 These standards must:
44 (A) define a veteran as a person who was honorably discharged or
45 released from a branch of the United States armed services after
46 at least 180 days of active military duty other than for training;
47 (B) define a veteran with a disability as a veteran rated by the
48 Department of Veterans Affairs with a compensable service-
49 connected disability of 30 percent or more;
50 (C) define a uniformed public safety position as a:
51 (i) police officer;
52 (ii) fire fighter/rescuer;
53 (iii) deputy sheriff; or
54 (iv) correctional officer; and

55 (D) give preference points for a veteran and additional preference
56 points for a veteran with a disability.
57 [(e)] (f) * * *
58 [(f)] (g) * * *
59 [(g)] (h) * * *
60 [(h)] (i) * * *
61 [(i)] (j) * * *
62 **Sec. 2. Short Title**
63 This Act may be cited as the "Veterans in Public Safety Employment Act."
64 **Sec. 3. Effective Date.**
65 The Council declares that this legislation is necessary for the immediate
66 protection of the public interest. This Act takes effect on the date on which it
67 becomes law.
68
69 *Approved:*
70
71
George Leventhal, President, County Council Date
72 *Approved:*
73
Isiah Leggett, County Executive Date
74 *This is a correct copy of Council action.*
75
Linda M. Lauer, Clerk of the Council Date

LEGISLATIVE REQUEST REPORT

Expedited Bill 10-15
Personnel – Veteran Hiring Preference – Public Safety Position

DESCRIPTION: The legislation streamlines the hiring process by converting the hiring preference for veterans and veterans with a disability who apply for a County merit uniformed public safety position in a normal competitive process from priority consideration to a numeric point system. It provides greater benefit to veterans since veterans do not need to be in the highest rating category to receive the preference points.

PROBLEM: Veterans, particularly those returning from combat in Iraq and Afghanistan, suffer from a high unemployment rate. The skills and experience gained by veterans while in the military make them well-suited for uniformed public safety positions. The current system of hiring preference which provides priority consideration for veterans who apply for uniformed public safety positions has been cumbersome for public safety departments to administer and has resulted in lengthy delays in filling these positions.

GOALS AND OBJECTIVES: This legislation will both simplify the process and assist more veterans in obtaining uniformed public safety jobs.

COORDINATION: Office of Human Resources

FISCAL IMPACT: Office of Management and Budget

ECONOMIC IMPACT: Office of Management and Budget

EVALUATION: N/A

EXPERIENCE ELSEWHERE: N/A

SOURCE OF INFORMATION: Stuart Weisberg, Office of Human Resources (x.75154)

APPLICATION WITHIN MUNICIPALITIES: N/A

PENALTIES: N/A

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OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

December 8, 2014

TO: George Leventhal, President
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Expedited Bill to Convert Hiring Preference Given to Eligible Veterans Who Apply for Uniformed Public Safety Positions from Priority Consideration to a Numeric Point System

I am attaching for Council introduction an Expedited Bill, the Veterans in Public Safety Employment Act, to convert the hiring preference given to eligible veterans who apply for County merit uniformed public safety positions in a normal competitive process from priority consideration to a numeric point system.

The purpose of this bill is to both simplify the hiring process as well as to assist more veterans in obtaining uniformed public safety jobs. Veterans, particularly those returning from combat in Iraq and Afghanistan, suffer from a high unemployment rate. The skills and experience gained by veterans while in the military make them well-suited for uniformed public safety positions. This bill provides greater benefit to veterans than the present system since veterans do not need to be in the highest rating category to receive the preference points.

I am also attaching for your information a draft copy of an Executive Regulation that describes how this bill would be implemented if enacted by the Council.

Attachments

IL: sw

Fiscal Impact Statement
Council Bill XX-14 Personnel – Regulations – Veterans – Veterans with Disabilities – Hiring Preference Points – Uniformed Public Safety Positions

1. **Legislative Summary.**

   This proposed legislation would convert the hiring preference for veterans and veterans with disabilities who apply for a County merit uniformed public safety position in a normal competitive process from priority consideration to a numeric point system. This would provide a greater benefit to veterans since veterans do not need to be in the highest rating category to receive the preference points. This would simplify the process for both the employer and candidates by allowing for a single round of interviews, rather than interviewing the hiring preference candidates prior to those in the highest rating category.

2. **An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.**

   This proposed legislation would require adjustments to the County's on-line employment application management system. The Enterprise Resource Planning (ERP) Office and Office of Human Resources (OHR) estimate that the changes to the system would require approximately 308 hours of ERP functional, technical expert, and OHR subject matter expert staff time, at an estimated cost of $39,300 but that the costs will be absorbed by the departments. This total does not reflect OHR Recruitment and Selection's ongoing cost to complete the numeric point system assessments during individual recruitments. The change to a numeric point system is estimated to be an increase in effort that is not significant.

   This proposed legislation would have no impact on revenues.

3. **Revenue and expenditure estimates covering at least the next 6 fiscal years.**
   The estimated cost of $39,300 is one-time only.

4. **An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.**
   Not applicable.

5. **Later actions that may affect future revenue and expenditures if the bill authorizes future spending.**
   Not applicable.

6. **An estimate of the staff time needed to implement the bill.**
   ERP and OHR estimates that the changes necessary to implement the bill would require approximately 308 hours of staff time. This total does not reflect OHR Recruitment and Selection's ongoing cost to complete the numeric point system assessments during individual recruitments. The change to a numeric point system is estimated to be an increase in effort that is not significant.

7. **An explanation of how the addition of new staff responsibilities would affect other duties.**
   The required implementation time would be prioritized within the current staff workload.

8. **An estimate of costs when an additional appropriation is needed.**
   No additional appropriation is needed.

9. **A description of any variable that could affect revenue and cost estimates.**
   If the programming changes prove to be more complex than estimated, additional staff time could be required. The impact of this would likely be the delay of other projects.

10. **Ranges of revenue or expenditures that are uncertain or difficult to project.**
    Not applicable.

11. **If a bill is likely to have no fiscal impact, why that is the case.**
    Not applicable.

12. **Other fiscal impacts or comments.**
    Not applicable.

13. **The following contributed to and concurred with this analysis:**
    Lori O'Brien, Office of Human Resources
    Corey Orlosky, Office of Management and Budget

JAHughes

Jennifer A. Hughes, Director
Office of Management and Budget

12/12/14
Date

Office of Human Resources

Hiring Preference Points for Veterans Who Apply for Uniformed Public Safety Positions

Executive Regulation No. xx-14
Issued by: County Executive
Supersedes: Executive Regulation No. 3-10

Authority: Montgomery County Code, 2004, §33-7(b)
Council review: Method 1

Montgomery County Register Volume 31, Issue xx
Comment deadline:

Effective date: _____

Summary: This regulation implements Expedited Bill No. xx-14, the Veterans in Public Safety Employment Act enacted by the Council on _____2014. The regulation amends Section 6 of the 2001 Montgomery County Personnel Regulations by converting the hiring preference given to eligible veterans who apply for County merit uniformed public safety positions in a normal competitive process from priority consideration to a numeric point system.

Address for comments: Office of Human Resources, Executive Office Building, 7th Floor
101 Monroe Street, Rockville, Maryland 20850

Staff contact: Stuart Weisberg, 240-777-5154, or stuart.weisberg@montgomerycountymd.gov

Please use the key below when reading this regulation:

Boldface	*Heading or defined term.*
Underlining	*Added to existing regulation by proposed regulation.*
[Single boldface brackets]	*Deleted from existing regulation by proposed regulation.*
Double underlining	*Added by amendment.*
[[Double boldface brackets]]	*Deleted from existing or proposed regulation by amendment.*
* * *	*Existing language unchanged by executive regulation.*

SECTION 6. RECRUITMENT AND APPLICATION RATING PROCESS

* * *

6-12. Hiring preference points for initial appointment to a County merit uniformed public safety position.

(a) ***Definitions***

(1) ***Hiring preference points:*** Numeric points that are added to the passing examination score, or interview rating total, of eligible applicants who apply for County merit positions as uniformed public safety officers in a normal competitive process. When the scoring system for examinations and interviews provides for a maximum score of other than 100, the numeric points to be added will be based on a percentage of the maximum score. This will enable the preference points to carry equal weight regardless of the position applied for.

(2) ***Uniformed public safety position:*** Police officer, firefighter/rescuer, correctional officer, or deputy sheriff.

(3) ***Veteran:*** A person who:

(A) was honorably discharged or released from a branch of the United States armed services after at least 180 days of active military duty other than for training;

(B) was not granted a normal retirement from the United States armed services; and

(C) has not already used veteran's credit to receive priority consideration or preference points for appointment to a County merit position.

(4) ***Veteran with a disability:*** A person who:

(A) meets the definition of veteran contained in (3) above; and

(B) is rated by the Department of Veterans Affairs with a compensable service-connected disability of 30 percent or more.

(b) To receive hiring preference points for a uniformed public service position under this section, an eligible applicant must apply for the preference on the application form and must provide the necessary certification or documentation within 14 calendar days after it is requested by OHR.

(c) ***Allocation of hiring preference points***

(1) veterans with disabilities receive 10 points or 10 percent, whichever is is applicable; and

(2) veterans without disabilities receive 5 points or 5 percent, whichever is applicable; and

(d) ***Application of hiring preference points to selection process***

(1) Hiring preference points under this section may be used by an applicant to apply for multiple County uniformed public safety positions. If an applicant obtains an appointment to a County uniform public safety merit position using the preference points, the points cannot be used again.

(2) Preference points cannot be used to help an applicant meet the minimum qualifications for a uniformed public safety merit position.

(3) Preference points cannot be used to help an applicant achieve a passing score on an examination. If a written or oral examination is required for the position, an applicant must achieve a passing score before any preference points can be added.

(4) Where the department selection process is based solely on a written or oral examination score, the points are added to the applicant's passing examination score.

(5) Where the department selection process requires an applicant to take a pass/fail examination and all applicants who pass the exam are then

interviewed, the points are added to the interview score.

[6-12]

6-13. Selection process. * * *

[6-13]

6-14. Appeals by applicants. * * *

Approved: _____ _____

Isiah Leggett, County Executive Date

Approved as to form and legality:

Anne T. Windlee 11/17/14

Office of the County Attorney Date

TESTIMONY ON BEHALF OF COUNTY EXECUTIVE ISIAH LEGGETT
Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position

March 17, 2015

Good afternoon Council Members, I am Stuart Weisberg, the Labor Relations Advisor in the Office of Human Resources, and it is a pleasure for me to appear at this hearing on behalf of County Executive Isiah Leggett. As you know, Expedited Bill 10-15 was introduced at the request of the County Executive.

Montgomery County has been a leader in its efforts to increase employment opportunities with the County for veterans and persons with disabilities. Expedited Bill 10-15 represents an expansion of this initiative. We are grateful for the sacrifices made by veterans who have bravely and selflessly served this country on active duty in the armed services. This bill, the "Veterans in Public Safety Employment Act," would establish a hiring preference for a qualified veteran or a veteran with a disability who applies for a uniformed public safety position. This bill is a win-win proposal. Veterans, particularly those returning from combat, suffer from a high unemployment rate. The bill would enable more veterans to obtain public safety positions. The skills and experience gained by veterans while in the military are helpful assets for serving in uniformed public safety positions with the County. At the same time, it provides the County with a pool of qualified applicants with skills and experience well suited to serve as a police officer, fire fighter/rescuer, deputy sheriff, or correctional officer.

The current law already requires priority consideration for a veteran or a veteran with a disability who applies for a merit position and is rated in the highest rating category. In this bill, we basically carve out an exception for uniformed public safety positions. The bill will potentially benefit more veterans who apply for employment in uniformed public safety positions with the County since they do not have to be in the highest rating category to receive hiring preference points. Rather, the addition of these numeric points to an applicant's examination score or interview score might help the applicant move to a higher rating category.

The current system of hiring preference which provides priority consideration (requires that such applicants be interviewed and considered for vacant positions before others are considered) has been cumbersome for public safety departments to administer and has resulted in lengthy delays in filling these positions. Replacing priority consideration with preference points would simplify the hiring process and allow public safety departments to fill vacancies more quickly.

In summary, the County Executive strongly endorses Expedited Bill 10-15, and urges Council's favorable consideration.

Thank you and I will be pleased to answer any questions you may have.

Maryland's First Nationally Accredited Sheriff's Office

OFFICE OF THE SHERIFF
MONTGOMERY COUNTY, MARYLAND

50 Maryland Avenue
Rockville, Md. 20850
240-777-7000
240-777-7148 Fax

SHERIFF DARREN M. POPKIN

March 17, 2015

The Honorable George Leventhal
Montgomery County Council President
100 Maryland Avenue
Rockville, MD 20850

Re: MCC Bill No. 10-15 – Veteran Hiring Preference

Dear Mr. Leventhal,

Montgomery County Council Bill 10-15 would require for the first time, in Montgomery County Code, Section 33-7, that the **County Executive** is responsible for establishing hiring preferences for selecting veterans in public safety positions as Montgomery County Deputy Sheriffs.

The Maryland Sheriff is a constitutional officer. Sheriffs are state officials, not local government officials, who exercise such powers and perform such duties as are fixed by State law. Consequently, the duties of the sheriffs are those prescribed by the common law, the enactments of the General Assembly, and the rules of the Court of Appeals.

Deputy Sheriffs also are State officials, not local government officials. Under State law, they perform the duties incidental to the office as assigned to them by the Sheriff. Except as otherwise provided by State law, a deputy sheriff has the same authority as the sheriff. [Opinion of the Montgomery County Attorney, October 18, 2000].

Md. Code, Courts Article, §2-309(q)(3)(i) authorizes the Sheriff to appoint the number of deputies provided in the county budget and other clerical and administrative employees. Md. Code, Courts Article, Section 2-309(q)(4)(ii) provides that personnel (other than assistant sheriffs) appointed by the Sheriff shall be considered for all purposes as Montgomery County merit system employees and subject to the Montgomery County merit system law, personnel regulations.

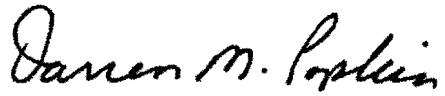
The Sheriff, as provided by the Maryland Police Training Act, Md. Code, Public Safety Article, Title 3, Subtitle 2, requires that each applicant for employment as a deputy sheriff successfully completes a detailed confidential background and criminal history investigation, polygraph examination, and complies with selection standards for provisional certification, and detailed regulations adopted by the Maryland Police and Correctional Training Commission (MPCTC). Upon graduation from entry level training at the Public Safety Training Academy, deputy sheriffs are certified by MPCTC as Maryland police officers.

The Sheriff's Office actively recruits U.S. military veterans for employment as deputy sheriffs by outreach advertising and attendance at veterans' job fairs. The Sheriff's Office sworn work force is composed of approximately 25% U.S. military veterans, which is five times the county's 4.9% veterans' population. A U.S. military veteran previously assigned as the Sheriff's Office recruit training officer at the Montgomery County Public Service Training Academy is now the Lieutenant in charge of the MCSO Applicant and Training Section.

Several years ago, the Sheriff's Office instituted a policy of awarding veteran's preference during the oral interview phase of applicant processing for deputy sheriff positions.

The Montgomery County Sheriff is a Constitutional Officer in the Judicial Branch of Maryland State Government. Because of this separation of powers from the County Government (as reflected in the attached Montgomery County Organization Chart) and for all of the prior reasons, the Sheriff respectfully requests that MC Bill No. 10-15 be amended to delete the reference to Deputy Sheriffs on page circle 3, line 53.

Sincerely,



Sheriff Darren M. Popkin

GO/PS Item 1
April 2, 2015
Worksession
ADDENDUM

MEMORANDUM

April 1, 2015

TO: Government Operations and Fiscal Policy Committee
Public Safety Committee

FROM: Robert H. Drummer, Senior Legislative Attorney

SUBJECT: **Worksession:** Expedited Bill 10-15, Personnel – Veteran Hiring Preference – Public Safety Position

We received the economic impact statement for Bill 10-15 after the packet was printed.

This packet contains:	Circle #
Economic Impact statement	1

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Economic Impact Statement
Bill 10-15E, Personnel – Veteran Hiring Preference – Public Safety Position

Background:

This legislation would both simplify the hiring process as well as assist more veterans in obtaining uniformed public safety jobs. Bill 10-15E would change the hiring preference for a veteran or a veteran with a disability who applies for a uniformed public safety position from priority consideration to a number point system. The legislation would also require the County Executive to adopt regulations implementing a hiring point system for certain qualified persons who apply for a County merit uniformed public safety position.

Bill 10-15E defines a veteran as a person who was honorably discharged or released from a branch of the United States Armed Forces after at least 180 days of active military duty other than for training. The legislation also defines a veteran with a disability as a veteran rated by the Department of Veteran Affairs with a compensable service-connected disability of 30 percent or more.

1. The sources of information, assumptions, and methodologies used.

Sources of Information:

- Bureau of Labor Statistics (BLS), U.S. Department of Labor, News Release, March 18, 2015, and
- The August 2014 supplement to the Current Population Survey (CPS), a monthly survey of approximately 60,000 households.

According to BLS, the unemployment rate for veterans who served on active duty in the U.S. Armed Forces at any time since September 2001 (a grouped referred to as Gulf War-era II veterans) was 7.2 percent in 2014 compared to 6.2 percent for the nation. In addition, 29 percent of Gulf War-era II veterans reported having a service-connected disability as of August 2014.

In 2014, there were 3.2 million veterans who had served during Gulf War-era II and of those 3.2 million, twenty percent were women. The unemployment rate for male Gulf War-era II veterans was 6.9 percent compared to 6.2 percent for male non-veterans. Among women, the unemployment rate for Gulf War-era II veterans was 8.5 percent compared to 5.9 percent for female non-veterans.

In August 2014, 36 percent of Gulf War-era II veterans reported serving in Iraq, Afghanistan, or both. Therefore, of the 3.2 million veterans who had served during the Gulf War-era II, nearly 1.2 million served in either Iraq, Afghanistan, or both.

BLS also reports that among the veterans who served during Gulf War-era II, nearly 3 in 10, or 30 percent, reported having a service-connected disability. Of these veterans, 75.1 percent were in the labor force as of August 2014 and lower than the 85.6 percent for Gulf War-era II veterans with no service-connected disability.

2. **A description of any variable that could affect the economic impact estimates.**

   The variable that could affect the economic impact estimates is the number of eligible veterans who would receive a hiring preference through the numeric point system as opposed to the current normal competitive process. However, given that the point system will be adopted through regulation under Bill 10-15E, it is uncertain at this time how many eligible veterans would be given a hiring preference under the point system. While employment by eligible veterans for County positions in the merit uniformed public safety positions would increase, that increase would be offset by a similar decrease in non-eligible candidates such that the overall employment in the County merit positions would not change.

3. **The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.**

   While Bill 10-15E would have a positive effect on employment for eligible veterans, that positive effect would be offset by a negative effect on employment for non-eligible candidates. Therefore Bill 10-15E would not have a net economic impact on employment.

4. **If a Bill is likely to have no economic impact, why is that the case?**

   See paragraph 3.

5. **The following contributed to or concurred with this analysis**: David Platt and Rob Hagedoorn, Finance;

Joseph F. Beach, Director
Department of Finance

3/31/15
Date