

Resolution No.: 16-1278  
Introduced: March 9, 2010  
Adopted: March 9, 2010

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Approval of Executive Regulation 23-09, Amendments to Montgomery County Personnel Regulations, Probationary Period for Noncompetitive Reappointments

**Background**

1. On December 10, 2009, the County Council received Executive Regulation 23-09 to amend Section 7 of the 2001 Personnel Regulations to clarify under what circumstances an employee who receives a noncompetitive appointment must serve a probationary period.
2. Executive Regulation 23-09 is processed under Method 2 and takes effect upon adoption of the Council resolution approving it or on a later date specified in the regulation.
3. The Management and Fiscal Policy Committee reviewed Executive Regulation 23-09 on February 24, 2010 and unanimously recommended approval.

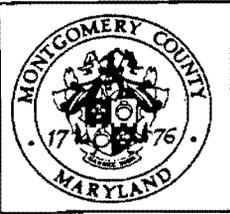
**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation 23-09, to amend Section 7 of the 2001 Personnel Regulations to clarify under what circumstances an employee who receives a noncompetitive appointment must serve a probationary period, is approved.

This is a correct copy of Council action.

  
Linda M. Lauer  
Linda M. Lauer, Clerk of the Council



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

<b>Subject</b> Probationary Period for Noncompetitive Reappointments	<b>Number</b> 23-09
<b>Originating Department</b> Office of Human Resources	<b>Effective Date</b> March 9, 2010

## Probationary Period for Noncompetitive Reappointments

Executive Regulation No. 23-09

Issued by: County Executive

Supersedes: Executive Regulation No. 12-00AM II, in part

Authority: Montgomery County Code, 2004, §33-7(b)

Council review: Method 1

*Montgomery County Register* Volume 26, Issue 11

Comment deadline: November 30, 2009

Effective date: March 9, 2010

**Summary:** This regulation amends Section 7 of the 2001 Montgomery County Personnel Regulations to clarify under what circumstances an employee who receives a noncompetitive appointment must serve a probationary period.

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

**Staff contact:** Stuart Weisberg, 240-777-5051, or [stuart.weisberg@montgomerycountymd.gov](mailto:stuart.weisberg@montgomerycountymd.gov)



# MONTGOMERY COUNTY EXECUTIVE REGULATION

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## SECTION 7. APPOINTMENTS, PROBATIONARY PERIOD, AND PROMOTIONAL PROBATIONARY PERIOD

\* \* \*

### 7-2. Probationary period; promotional probationary period.

(a) *Purpose of probationary period and promotional probationary period.*

\* \* \*

(4) A County employee with merit system status who transfers to a position as a Firefighter/Rescuer Recruit, Police Officer Candidate, Deputy Sheriff Candidate, or Correctional Officer I/Private must serve a new probationary period of at least 12 months in the new position. If the employee is unable to successfully complete the new probationary period, the OHR Director must place the employee in an available vacant position for which the employee is qualified.

(5) An individual appointed to a full-time or part-time merit system position, other than a position enumerated in (a)(4) above, based on priority consideration under Section 6-10 (a) (1), (2) or (3) does not serve a probationary period.

\* \* \*

### 7-5. Probationary period for noncompetitive reappointment.

(a) *Noncompetitive reappointment to the same position.*

(1) A former County employee reappointed noncompetitively under Section



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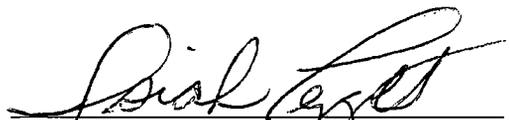
7-4 to the same position that the employee held prior to separation from County service within one year of separation does not serve a probationary period.

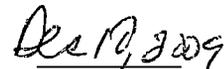
(2) A former County employee reappointed noncompetitively under Section 7-4 to the same position that the employee held prior to separation from County service more than one year after separation must serve a probationary period for a length of time discussed in Section 7-2(b).

(b) *Noncompetitive reappointment to a different position.*

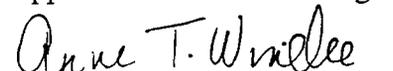
(1) A former County employee reappointed noncompetitively under Section 7-4 to a position different from the position the employee held prior to separation must serve a probationary period for a length of time discussed in Section 7-2(b) regardless of the length of the separation period.

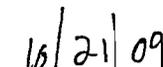
Approved:

  
Isiah Leggett, County Executive

  
Date

Approved as to form and legality:

  
Office of the County Attorney

  
Date