



## Priority Consideration Process

### Employee Fact Sheet

The Office of Human Resources (OHR) provides this resource to help Montgomery County Government (MCG) employees who need a long-term accommodation for a disability under the Americans with Disabilities Act (ADA) understand the priority consideration process.

### Overview

An employee may begin the priority consideration process if the employee meets the following conditions:

1. Occupational Medical Services (OMS) determines that the employee has a disability under the ADA that impairs their ability to perform the essential functions of the job.
2. OMS determines that the employee's disability is long-term, meaning permanent, chronic, or expected to be of long duration.
3. The employee's department is unable to meet the employee's accommodation.

When an employee needs reassignment as an accommodation for a disability, a maximum of 105 days of priority consideration will be given for positions that are of the same grade or lower and for which the person qualifies. Under the priority consideration policy, employees can retain their current salary and benefits. (If they apply for and accept a part-time position, their new position's salary will be prorated based on the number of hours they work.)

### Priority Consideration Process

The priority consideration reassignment process is outlined below.

#### STEP 1

OMS sends Health Status Report (HSR) information regarding the employee's limitations to the department supervisor. The department evaluates whether it can accommodate the employee's limitations and sends notice of the decision to the Disability Program Manager (DPM) at [dpm@montgomerycountymd.gov](mailto:dpm@montgomerycountymd.gov).

**a) If the department is able to meet the accommodation:**

- The DPM works with the employee and the employee's department to implement the accommodation.

**b) If the department cannot meet the accommodation:**

- The department will notify the employee, union representative (if applicable), and the DPM in writing of other options, such as an internal departmental transfer for which the employee qualifies (at the same grade as or below the employee's current position). The department has up to 15 days to find and offer an affected employee an internal transfer, if available.
- The DPM will then send a notice to the employee that includes an overview of the employee's options and includes instructions on how to apply for a job through the priority consideration process.
- The County will provide the employee (and, if applicable, their union representative) this Employee Fact Sheet, which outlines the priority consideration process. In addition, the County will offer to hold a meeting to discuss the process with the employee, and will notify the employee, the department, and the union of the meeting date.

## STEP 2

The employee decides to apply for disability retirement and/or seek another position at MCG. Employees can apply for disability retirement and seek employment through the priority consideration process concurrently.

- a) **If the employee would like to apply for disability retirement**, the employee should [contact the Montgomery County Employee Retirement Plans \(MCERP\) department](#). For additional retirement resources, see the Resources and Questions section at the end of this document.
- b) **If the employee decides to seek another position at MCG**, the employee should continue to STEP 3. A maximum of 105 days of priority consideration will be given to an employee to find another position through the priority consideration process.

## STEP 3

The employee begins applying for applicable positions. When a priority consideration reassignment candidate submits a job application, the employee will inform the DPM of all the job positions for which they applied, including the position's IRC number, job title, and department. The DPM will notify OHR Recruitment, and OHR Recruitment staff will determine whether the employee meets the qualifications needed for the position.

- a) **If the employee meets the qualifications**, OHR Recruitment staff schedules an informational interview with the employee and the hiring manager. The employee continues to STEP 4.

Note: The purpose of the informational interview is to provide the employee with information on the position (hours, location, duties, responsibilities, essential functions, etc.). It is also an opportunity for the department to assess and confirm the employee's ability to meet the requirements and essential functions of the position. The interview will *not* be competitive unless there are multiple priority candidates.

- b) **If the employee does not meet the qualifications**, OHR Recruitment staff update the employee's application status and the employee may continue to apply for other positions. An employee may be considered for more than one position at a time.

## STEP 4

If the employee is the only priority consideration reassignment candidate, the employee will be selected as long as they meet the qualifications. (If not, the employee can continue to apply for other positions if still within the 105-day priority consideration process timeline.) If there are multiple priority consideration reassignment candidates, the hiring manager may select any of the qualified candidates.

- a) **If the employee is selected, the employee completes the final steps in the job application process.** If the position requires medical clearance, the employee visits OMS to meet with a doctor for a pre-employment physical (if applicable) to ensure they can meet all medical and physical requirements of the position. If cleared medically, the employee then completes the priority consideration reassignment form. (If the position does not require these clearances, the employee only needs to complete the form.) OHR Recruitment then sends the employee a final offer letter (copying the DPM ), and the employee can choose to accept or decline the offer.
- b) **If the hiring manager chooses another priority consideration candidate**, the employee continues to apply for other positions, and will continue to receive priority consideration.

**Important:** Employees have 105 days (starting from the date departments notify them of their work status) to complete the priority consideration process.

## STEP 5

If priority consideration does not result in a successful reassignment within 105 days, employees should refer back to their department's notice for information regarding next steps.

## Resources and Questions

Visit these resources for more information:

- [OHR Disability and Accommodations Webpage](#)
- **OHR Reasonable Accommodation Process:**  
[Reasonable Accommodation Quick Reference Guide](#)  
[Reasonable Accommodation Policy and Procedure](#)
- **OHR Career Resources:**  
[MCG Careers \(work4mcg.com\)](#)  
[MCG Career Development](#)  
[Resume Preparation Tips](#)
- **Retirement Resources:**

*For retirement plan information (ERS, GRIP, RSP, and 457):*

Montgomery County Employee Retirement Plans (MCERP)

101 Monroe St, 15<sup>th</sup> Floor, Rockville, MD 20850

Email: [retirement@montgomerycountymd.gov](mailto:retirement@montgomerycountymd.gov)

Phone: 240-777-8230

Website: [www.montgomerycountymd.gov/MCERP](http://www.montgomerycountymd.gov/MCERP)

*For retirement health insurance information:*

Office of Human Resources (OHR)

101 Monroe St, 7<sup>th</sup> Floor, Rockville, MD 20850

Email: [HITSRetirement@montgomerycountymd.gov](mailto:HITSRetirement@montgomerycountymd.gov)

Phone: 240-777-0311

Website: [www.montgomerycountymd.gov/Hi](http://www.montgomerycountymd.gov/Hi) (select Active Employees, then Retirement Planning)

Please direct all questions to the County Disability Program Manager (DPM) at: [dpm@montgomerycountymd.gov](mailto:dpm@montgomerycountymd.gov).

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