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grievable and arbitrable pursuant to the procedures contained in Article 38 of this Agreement.

#### ARTICLE 53 - RESIGNATION

##### Section 53.1 Definition

Resignation: An employee's voluntary act to leave County employment.

##### Section 53.2 Notice of Resignation

An employee should submit a written resignation 2 weeks before the effective date of the resignation. In unusual circumstances, an employee may submit an oral resignation.

##### Section 53.3 Withdrawal of Resignation

- A. An employee may withdraw a resignation within 5 calendar days from the date the employee submitted the resignation.
- B. The department head may approve or deny a written request to withdraw a resignation that is submitted more than 5 calendar days from the date the employee submitted the resignation.

##### Section 53.4 Appeal of Resignation

A bargaining unit employee may appeal a resignation that the employee believes was involuntary or coerced by filing a grievance under Article 38 of the Agreement.

#### ARTICLE 54 - TUITION ASSISTANCE

##### Section 54.1

The Employer-administered tuition assistance fund is available to bargaining unit employees to help pay the costs of education or training.

##### Section 54.2

Employee tuition assistance is available to bargaining unit employees on a first-come, first-served basis. Once the tuition assistance funds are depleted for the fiscal year, tuition assistance is not available until the next year.

##### Section 54.3

The Employer may approve the use of Employer-administered tuition assistance to pay for training or education directly related to:

- A. the employee's current County work or normal career progression; or
- B. a field of study that will prepare the employee to make a career change within the County government.

#### Section 54.4

Employees may, with the Employer's approval, use the Employer-administered tuition assistance funds for training or education offered by a public or private:

- A. vocational or business school;
- B. college or university;
- C. professional, scientific, or technical institute; or
- D. organization or component of an organization, including a government agency or business, that offers courses or training.

#### Section 54.5

The following are acceptable educational objectives that an employee may pursue with tuition assistance funding, if the training or education meets the requirements of (3) and (4) above:

- A. education or training to obtain a certificate, associate degree, baccalaureate degree, or graduate degree; or
- B. a credit course, non-credit course or seminar.

#### Section 54.6

Only the cost of tuition and other direct or compulsory costs of the course such as matriculation, registration, laboratory, and library services are covered by tuition assistance.

#### Section 54.7

The following do not qualify for tuition assistance:

- A. credit courses taken on an audit (i.e., no grade) basis;
- B. books, supplies, and application fees, or extra fees such as late registration or library book returns, parking, travel, food, lodging, and other costs incidental

to the credit courses;

- C. if the tuition assistance benefit would duplicate benefits received for the same educational activity under other programs such as scholarships, veterans' benefits, and educational benefits provided under the Maryland State Fireman's Association.

#### Section 54.8

An employee receiving tuition assistance must participate in the educational activity:

- A. during the employee's off-duty hours;
- B. on approved leave, other than administrative leave or Professional Improvement Leave.

#### Section 54.9

If an employee does not complete the course work successfully, the employee must reimburse the County in full for all tuition assistance paid by the County for that activity.

#### Section 54.10

An employee who received tuition assistance must agree to remain a County employee for at least one year after completing the course. If the employee does not remain employed by the County for the entire one-year period, the employee must repay a prorated amount of the tuition assistance. The tuition assistance does not have to be repaid if the employee dies or retires on a County disability retirement. The Employer may waive repayment of tuition assistance in other extenuating circumstances.

#### Section 54.11

The County will increase the maximum annual allowance payable to a bargaining unit employee under the Employee Assistance Program to \$1,630 for FY 2009, \$1,730 for FY 2010, and \$1,830 for FY 2011.

### ARTICLE 55 – SERVICE INCREMENTS

#### Section 55.1 Definitions

- A. Service increment: An increase in base salary granted on an annual basis to an eligible employee whose performance is at least satisfactory.
- B. Service increment date: An employee's date of employment, unless the