

# Racial Equity and Social Justice (RESJ) Impact Statement

## BILL 32-21: PERSONNEL-EMPLOYEE SETTLEMENT AGREEMENTS WITH NO-REHIRE CLAUSE-PROHIBITED

### SUMMARY

OLO anticipates that Bill 32-21 will have a minimal impact on racial inequities and social injustices in the County.

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### PURPOSE OF RESJ STATEMENT

The purpose of RESJ impact statements is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, power, and leadership of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.<sup>1</sup> Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.<sup>2</sup>

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### PURPOSE OF BILL 32-21

The purpose of Bill 32-21 is to change the current “no rehire” clause in County employee settlement agreements. Bill 32-21 was introduced on July 20, 2021. If enacted, the Bill would:

- Prohibit County employee settlement agreements to include a “no rehire” clause;
  - Provide the Chief Administrative Officer or agency head the authority to include a certain clause;
  - Establish a right to appeal; and
  - Generally amend the County law governing personnel and human resources.<sup>3</sup>
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### ANTICIPATED RESJ IMPACTS

Since the scope of Bill 32-21’s influence is estimated to impact a limited number of County employees, OLO anticipates that the bill would have a minimal impact on racial equity and social justice in the County. No changes in racial equity or social justice for County residents are anticipated under Bill 32-21.

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### CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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# RESJ Impact Statement

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<sup>1</sup> Adopted from definition of racial equity described in the Racial Equity Policy Scorecard included in “Applying a Racial Equity Lens into Federal Nutrition Programs,” authored by Marlysa Gamblin; see the Government Alliance for Race and Equity’s “Advancing Racial Equity and Transforming Government” resource guide for understanding the historical role of government in maintaining racial inequities [https://racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource\\_Guide.pdf](https://racialequityalliance.org/wp-content/uploads/2015/02/GARE-Resource_Guide.pdf)

<sup>2</sup> Adopted from racial equity definition provided by Racial Equity Tools. <https://www.racialequitytools.org/glossary>

<sup>3</sup> Montgomery County Council Bill 32-21- Personnel - Employee Settlement Agreements with No-Rehire Clause - Prohibited, Introduced July 20, 2021, Montgomery County, Maryland