



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject Hiring Preference Points for Persons with Disabilities and Veterans	Number 2-13
Originating Department Office of Human Resources	Effective Date

Hiring Preference Points for Persons with Disabilities and Veterans

Executive Regulation No. 2-13

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 30, Issue 5

Comment deadline: May 31, 2013

Effective date: _____

Summary: This regulation implements Expedited Bill No. xx-13, Hiring Preference for Persons with Disabilities and Veterans, enacted by the Council on _____ 2013. The regulation amends Section 6 of the 2001 Montgomery County Personnel Regulations by converting the hiring preference given by Executive Regulation 3-10 to eligible veterans with a disability, other persons with a disability, and other veterans who apply for County merit positions in a normal competitive process from priority consideration to a numeric point system. The regulation also expands the hiring preference to include a new derivative category, widows, widowers, and spouses of veterans in certain instances.

Address for comments Office of Human Resources, Executive Office Building, 7th Floor
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Please use the key below when reading this regulation:

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



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SECTION 6. RECRUITMENT AND APPLICATION RATING PROCESS

* * *

6-11. [Priority consideration] Hiring preference points for [initial] appointment to a County merit system position.

(a) *Definitions*

(1) Hiring preference points: Numeric points that are added to the passing examination score, preferred criteria resume rating count, or interview rating total of eligible applicants who apply for County merit positions in a normal competitive process.

[(1)]

(2) *Person with a disability*: A person who:

(A) has a severe developmental, [disability, severe] physical [disability], or [a] psychiatric disability within the meaning of 5 C.F.R. 213.3102(u), the criteria for disability used by the Federal Office of Personnel Management for noncompetitive appointment to Federal merit system positions under its special hiring authority; and

(B) has been certified by the Maryland Department of Education Division of Rehabilitation Services or by an equivalent out-of-state vocational rehabilitation agency as meeting the definition of disability contained in (A) above based upon medical evidence.



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(3) Spouse of Veteran with a disability: An individual married to a person who:

- (A) meets the definition of veteran contained in (5) below; and
- (B) is unable to use the preference points because the person has been rated by the Department of Veterans Affairs with a compensable service-connected disability of 100 percent.

[(2)]

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

- (A) meets the definition of veteran contained in [(3)] (5) below; and
- (B) is rated by the Department of Veterans Affairs with a compensable service-connected disability of 30 percent or more[;].

[(3)]

(5) Veteran [without a disability]: A [veteran] person who:

- (A) was honorably discharged or released from a branch of the United States armed services[; and] 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

[(B)]

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

(6) Widow or widower of a veteran: A person:

- (A) whose spouse was killed while on active duty in a branch of the United States armed services; and
- (B) has not remarried.



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[(b) Subject to persons who must be given priority under Section 6-10, the OHR Director must give priority consideration in the following order to persons who apply for initial appointment to a County merit system position in a normal competitive process and who are rated and placed in the highest rating category on the eligible list:

- (1) a veteran with a disability;
- (2) an equal preference for a veteran without a disability and for a person with a disability.]

[(c)]

(b) To receive [priority consideration] hiring preference points under [6-11(b)] 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) The OHR Director must establish a uniform scoring system for examinations, preferred criteria resume ratings, and interviews with a maximum score of 100 so that the preference points carry equal weight regardless of the position that the applicant applies for. It is possible for an applicant with preference points to have a score higher than 100.

(d) Allocation of hiring preference points

- (1) veterans discharged 5 years or less from the date of the job application receive 5 points;
- (2) veterans discharged more than 5 years from the date of the job application receive 3 points;
- (3) persons with disabilities receive 5 points;
- (4) veterans with disabilities, regardless of their date of discharge, receive 10 points;



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- (5) widows and widowers of veterans killed while on active duty 5 years or less from the date of the job application receive 5 points;
- (6) widows and widowers of veterans killed while on active duty more than 5 years from the date of the job application receive 3 points; and
- (7) spouses of veterans who are unable to use preference points because they are 100 percent disabled receive 10 points.

(e) **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 positions. If an applicant obtains an appointment to a County merit position using the preference points, the points cannot be used again.
- (2) County employees who are veterans or otherwise qualify for hiring preference points, and have not already used veterans' credit or disability hiring preference to receive priority consideration, preference points or the equivalent to obtain appointment to a merit position shall receive preference points when applying for other merit positions that are advertised to the public and not for "employees only" vacancy announcements.
- (3) Employees who receive a noncompetitive appointment to a merit position under Section 6-14 are not eligible for preference points for other merit positions.
- (4) Preference points do not apply to Management Leadership Service (MLS) positions.
- (5) Preference points cannot be used to help an applicant meet the minimum qualifications for a merit position.



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- (6) 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.
- (7) 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.
- (8) 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.
- (9) Where the department's selection process flows from the resume rating an applicant receives based on the preferred criteria listed in the job vacancy announcement, the points are added to the rating score, which might help the applicant move to a higher rating category.
- (10) For some merit positions there are neither examinations nor preferred criteria but only minimum qualifications that must be met. The recruitment for these positions is often done on an open and continuous basis. When a job vacancy occurs, the department determines which of the applicants who have met the minimum qualifications to interview based often on factors such as the subject matter or experience that the department is seeking for the particular vacancy. For these positions only, an eligible applicant who qualifies for hiring preference points will instead be guaranteed an interview by the department for the vacant



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position.

* * *

Approved: _____
Isiah Leggett, County Executive Date

Approved as to form and legality:

Anne T. Windle 4/11/13
Office of the County Attorney Date