

RESOLUTION NUMBER 460

RESOLUTION AMENDING THE DORCHESTER COUNTY PERSONNEL RULES AND REGULATIONS

WHEREAS, the Dorchester County Personnel Rules and Regulations were adopted on June 18, 1996 pursuant to Article 25, Section 3 of the Annotated Code of Maryland; and

NOW, THEREFORE, BE IT RESOLVED THAT the following specified paragraphs be added to Section II. Employment Procedures. H. Separation to read as follows:

H. Separation from County Employment**1. Resignations**

In order for an employee, except those noted below, to resign from the County in good standing they must submit in writing to their Department Head information stating the reason for leaving giving a minimum of two (2) weeks notice. Any employee giving less than two (2) weeks written notice will not have resigned in good standing and may be barred from future employment with the County.

Employees holding Department Head/serve at the pleasure positions in order to resign in good standing must submit in writing to the County Manager information stating the reason for leaving giving a minimum of four (4) weeks notice. Failure to do so may result in the employee not resigning in good standing and may be barred from future employment with the County. If a serve at the pleasure employee is not reappointed or asked to resign for reasons other than disciplinary or gross misconduct they will be entitled to vacation payout.

Employees shall not be in a disciplinary status such as suspended, suspended pending termination or awaiting a hearing to be considered resigned in good standing. If an employee resigns while in a disciplinary status such as enumerated above they will not be eligible for any unused vacation payout. Employees may contact Human Resources to determine what benefits are available.

Employees with less than six (6) months service will not be eligible for vacation payout.

Employees that do not leave in good standing will not be eligible for unused vacation/annual leave payout. Upon resigning employees will not be granted use of personal leave.

2. Resigned without Notice/Quit

An employee that has not reported for work and not notified their supervisor of their status for 3 consecutive work days will be considered to have resigned without notice/quit. Notice cannot exist of phone messages, e-mail notifications; messages left with other employees, etc. but must be direct verbal contact or written notice hand delivered or sent certified or registered mail. The employee is responsible for assuring that the Department Head is aware of their status.

An employee that is considered resigned without notice/quit shall not be eligible for reemployment or reinstatement. If the employee has any unused vacation/annual leave they are not entitled to payment of said leave.

3. Termination/Dismissal

Termination or dismissal is the removal of an employee from the County's employment and payroll. Department Heads must follow approved disciplinary procedures in order to terminate an employee. Department Heads must have approval from the County Manager prior to terminating an employee. Before any second level discipline, which includes termination/dismissal, is made final, the employee shall be entitled to a hearing before the County Council at his/her written request in accordance with Section II. Such hearing must be requested within two working days from the time the employee receives notice of intention to impose discipline. Council will make the final decision regarding discipline. If terminated or dismissed from county employment the employee is not entitled to payment of unused vacation/annual leave. An employee that is terminated or dismissed from county employment is not entitled to any holiday pay for holidays not taken.

The County Manager may terminate or dismiss an employee from County employment. Below are reasons sufficient for termination or dismissal, but is not all inclusive:

1. Unapproved leave of absence and/or excessive absenteeism;
2. Conviction of a criminal act, misdemeanor or felony;
3. Conduct unbecoming an employee of Dorchester County Government;
4. Disorderly or immoral conduct while at work or conducting County business or representing County Government;
5. Unfit physically for duty;
6. Incompetence reflected by annual evaluation;
7. Insubordination;
8. Working under the inappropriate influence of drugs or alcohol;
9. Neglect and/or dereliction of duty;
10. Willful or negligent damage to County property or equipment;
11. Willful or negligent waste of public supplies, monies, etc.;
12. Willful violation any laws, rules, regulations, policies, procedures, etc.

Please see additional information under Section II.

4. Layoff

When it becomes necessary to reduce the workforce because of a shortage of funds or work, the abolition of the position, or other material changes in the duties of the organization, or for related reasons which are outside of the employee's control, the County Council shall consider an employee's job responsibilities, quality of work, and length of service. Employees laid off will be eligible for unused vacation/annual leave pay out.

5. Retirement: Ordinary or Disability

Dorchester County participates in the Maryland State Retirement and Pension System. Employees must meet the eligibility requirements of said system in order to retire. Employees may retire with an "ordinary" service retirement, "accidental disability" or an "ordinary disability" retirement. Employees must contact Human Resources in order to obtain information, forms, etc. in order to retire. Employees must notify their Department Head of their retirement date in writing as soon as possible but with a minimum of two (2) weeks notice. In the case of Department Heads they must give the County Manager a minimum of four (4) weeks notice. Failure to do so may result in the employee not leaving in good standing resulting in leave pay out for unused vacation/annual leave denied.

6. Death

When an employee dies while in a paid status there shall be paid to the estate of the deceased all pay due in addition to pay for unused annual leave. Benefits of the Maryland State Retirement System or Pension System shall be paid directly by the State to the beneficiary, if applicable.

HAVING BEEN DULY POSTED IN ALL COUNTY DEPARTMENTS, THIS RESOLUTION IS HEREBY PASSED AND ADOPTED 14th

DAY OF April, 2009 TO BE EFFECTIVE THE 14th DAY OF April, 2009

ATTEST:

DORCHESTER COUNTY COUNCIL

Jane Baynard
Jane Baynard

Jay L. Newcomb
Jay L. Newcomb, President

Absent
William V. Nichols, Vice-President

Effie M. Elzey
Effie M. Elzey

Ricky Travers
Ricky Travers

Rick Price
Rick Price