



Howard County

Internal Memorandum

Subject: Council Testimony and Fiscal Impact Statement

To: Lonnie R. Robbins
Chief Administrative Officer

From: Wanda H. Hutchinson
Human Resources Administrator

Date: February 26, 2018

The Administration is seeking Council approval for a bill amending the Howard County Code to allow for the dismissal of classified employees who are no longer able to perform the essential job functions of their position.

The Office of Human Resources has proposed changes to the Howard County Code, Sec. 1.115, Dismissal and Discipline of Employees in the Classified Service and Sec. 1.119, Separation, Other than Dismissal. Under the current code, an employee may only be dismissed for unsatisfactory performance or for cause in cases of dishonesty, insubordination, violation of a County policy, misconduct or for actions that violate the County's ethics law. The code change will provide for the ability to separate an employee from the classified service if a medical doctor or mental health practitioner has determined that the employee cannot perform the essential functions of the employee's position. This proposed change is consistent with similar provisions in surrounding Chartered Counties. Prior to being able to dismiss an employee, the County would first need determine if there are reasonable accommodations that would allow the employee to perform the essential duties of the position and seek out any vacant positions for which the employee may be suited. The proposed change also allows for the employee to obtain a second opinion if they believe that they are able to perform the essential duties of the position. If the County believes that an employee cannot perform the essential duties of their position, the County will make the employee aware of their options under the County's long-term disability plan and the provisions for disability retirement.

There is no fiscal impact for the requested changes.

cc: Jennifer Sager