### County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 9

#### Resolution No. 104-2020

Introduced by: Christiana Rigby and Opel Jones

A RESOLUTION proposing to amend Section 709 of the Howard County Charter to prohibit specified kinds of discrimination with respect to certain personnel actions in the County Merit System; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution.

Introduced and read first time, 2020. Ordered posted and bearing scheduled
By order Name (1000)
Diane Jones, Administrator
This Resolution was read a second time at the public hearing on Juve 15 2020.
By order A Johns Orne 1
Diane Jones, Administrator
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This Resolution was read the third time and was Adopted, Adopted with amendments \ Failed, Withdrawn by the County
Council on July 6, 2020.  By order Dane Dane Dane Dane Dane Dane Dane Dane
Diane Jones, Administrator
NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike out indicates material deleted by amendment; <u>Underlining</u> indicates material added by amendment.

1	WHEREAS, Section 709(a) of the Howard County Charter prohibits certain kinds of
2	discrimination with respect to certain personnel actions in the County Merit System; and
3	
4	WHEREAS, the kinds of discrimination omit protections against discrimination that are
5	based on disability, color, national origin, age, occupation, marital status, sexual orientation,
6	gender identity or expression, familial status, or personal appearance.
7	
8	NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County,
9	Maryland, that subsection (a) "Discrimination" of County Charter Section 709 "Prohibitions" is,
10	upon approval of the voters of Howard County, amended to read as follows:
11	
12 13	Article VII Merit System Section 709. – Prohibitions.
14 15	Section 709 Prohibitions.
16	(a) Discrimination. No person may be appointed or promoted to, or demoted or
17	dismissed from, any position in the classified service, or in any way favored or discriminated
18	against with respect to employment in the classified service because of his or her THEIR political
19	or religious opinions or affiliations, race [[or sex]], DISABILITY, COLOR, NATIONAL ORIGIN,
20	IMMIGRATION STATUS, AGE, OCCUPATION, MARITAL STATUS, SEXUAL ORIENTATION, GENDER
21	IDENTITY OR EXPRESSION, FAMILIAL STATUS, OR PERSONAL APPEARANCE.
22	
23	AND BE IT FURTHER RESOLVED by the County Council of Howard County,
24	Maryland, that at the next general election to be held in Maryland, the proposed amendment to
25	the Howard County Charter shall be submitted to the voters of Howard County for their adoption
26	or rejection in accordance with the provisions of the Article X of the Howard County Charter and
27	Article XI-A of the Maryland Constitution, and if adopted by the majority of the voters, shall
28	stand adopted from and after the 30th day following the general election.
29	
30	AND BE IT FURTHER RESOLVED by the County Council of Howard County,
31	Maryland, that this Resolution, having been approved by two-thirds of the members of the
32	Howard County Council, stands adopted this 6th ay of July, 2020 in accordance
33	with provisions of Article X of the Howard County Charter.
34	

### County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 9

#### Resolution No. 104-2020

Introduced by: Christiana Rigby and Opel Jones

A RESOLUTION proposing to amend Section 709 of the Howard County Charter to prohibit specified kinds of discrimination with respect to certain personnel actions in the County Merit System; and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and Article XI-A of the Maryland Constitution.

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Council on July 6, 2020.
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By order was love
Diarie Jones, Administrator

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indicates material deleted by amendment; <u>Underlining</u> indicates material added by amendment.

WHEREAS, Section 709(a) of the Howard County Charter prohibits certain kinds of 1 2 discrimination with respect to certain personnel actions in the County Merit System; and 3 WHEREAS, the kinds of discrimination omit protections against discrimination that are 4 based on disability, color, national origin, age, occupation, marital status, sexual origination, 5 gender identity or expression, familial status, or personal appearance. 6 7 8 NOW, THEREFORE, BE IT RESOLVED by the County Courcil of Howard County, Maryland, that subsection (a) "Discrimination" of County Charter Section 709 "Prohibitions" is, 9 10 upon approval of the voters of Howard County, amended to read as follows: 11 12 Article VII. - Merit Syst Section 709. - Prohibi 13 14 15 Section 709. - Prohibitions. (a) Discrimination. No person may be a pointed or promoted to, or demoted or 16 dismissed from, any position in the classified so vice, or in any way favored or discriminated 17 against with respect to employment in the classified service because of his or her political or 18 religious opinions or affiliations, race [[o sex]], DISABILITY, COLOR, NATIONAL ORIGIN, AGE, 19 OCCUPATION, MARITAL STATUS, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, 20 21 FAMILIAL STATUS, OR PERSONAL A PEARANCE. 22 AND BE IT FURTY ER RESOLVED by the County Council of Howard County, 23 Maryland, that at the next general election to be held in Maryland, the proposed amendment to 24 the Howard County Charter shall be submitted to the voters of Howard County for their adoption 25 26 or rejection in accordance with the provisions of the Article X of the Howard County Charter and Article XI-A of the Maryland Constitution, and if adopted by the majority of the voters, shall 27 28 stand adopted from and after the 30th day following the general election. 29 30 ND BE IT FURTHER RESOLVED by the County Council of Howard County, Maryland, that this Resolution, having been approved by two-thirds of the members of the 31 ard County Council, stands adopted this \_\_\_\_ day of \_\_\_\_\_, 2020 in accordance 32 33 ith provisions of Article X of the Howard County Charter.

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Amendment	 to	Council	Resolution	No.	104-2020

**Christiana Rigby** BY:

Legislative Day No. 10

Date: July 6,7020

Amendment No. \\_

(This Amendment makes ensures that no persons are excluded.)

On page 1, in line 18, strike "his or her" and substitute "THEIR". 1

## Amendment 2 to Council Resolution No. 104-2020

BY: Liz Walsh, Legislative Day No. 10

Deb Jung, and Christiana Rigby

Date: July 6, 2020

Amendment No. 2

(This Amendment makes adds immigration status as a protected status.)

On page 1, in line 19, after "ORIGIN," insert "IMMIGRATION STATUS,". 1

RUDPIER July 6, 2020.
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Amendment \_\_\_\_ to Council Resolution No. 104-2020

BY: Christiana Rigby

Legislative Day No. 10

Date: <u>July 6,7020</u>

Amendment No. 1

(This Amendment makes ensures that no persons are excluded.)

On page 1, in line 18, strike "his or her" and substitute "THEIR".

### Amendment 2 to Council Resolution No. 104-2020

BY: Liz Walsh,

Legislative Day No. 10

Deb Jung, and Christiana Rigby

Date: July 6,2020

Amendment No. 2

(This Amendment makes adds immigration status as a protected status.)

On page 1, in line 19, after "ORIGIN," insert "IMMIGRATION STATUS.".

# Office of the County Auditor Auditor's Analysis

### Council Resolution No. 104-2020

Introduced: June 1, 2020 Auditor: Rebecca Gold

### Fiscal Impact:

There will be minimal fiscal impact of this legislation.

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According to the Baltimore Sun's Ad Options website, the cost<sup>1</sup> to publish the amendment announcement in the Howard County Times will be approximately \$340.

### Purpose:

The purpose of Council Resolution 104-2020 is to amend Section 709 ("Prohibitions") of the Howard County Charter.

The amendment would prohibit discrimination with respect to employment in the classified service based on "disability, color, national origin, age, occupation, marital status, sexual orientation, gender identity or expression, familial status, or personal appearance."

### Other Comments:

Charter amendments must be approved by a two-thirds Council vote and are then submitted to the voters of Howard County for their adoption or rejection.

Any amendment to the Charter must be published in at least one newspaper of general circulation within the County for five successive weeks prior to the election.

The next general election in Maryland is scheduled for Tuesday, November 3, 2020.

Source: <a href="https://placeanad.baltimoresun.com/ad-options/?pub=howard-county-times&type=productpublication">https://placeanad.baltimoresun.com/ad-options/?pub=howard-county-times&type=productpublication</a> \$68 per publication x 5 weeks = \$340

# Office of the County Auditor Auditor's Analysis

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# Amendment 1 Council Resolution No. 104-2020

Amendment Proposed by: Christiana Rigby Introduced: June 1, 2020 Auditor: Rebecca Gold

### Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

### Purpose:

This amendment consists of a technical correction, changing the pronouns "his or her" to the gender-neutral "their" in line 18 on page 1:

"No person may be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his or her their political or religious opinions or affiliations..."

### Other Comments:

None.

# Office of the County Auditor Auditor's Analysis

### Amendment 2 Council Resolution No. 104-2020

Amendment Proposed by: Liz Walsh, Deb Jung, and Christiana Rigby Introduced: June 1, 2020 Auditor: Rebecca Gold

### Fiscal Impact:

There will be no fiscal impact as a result of this amendment.

#### Purpose:

This amendment adds immigration status as a class protected against discrimination with respect to employment in the classified service in line 19 on page 1:

"No person may be appointed or promoted to, or demoted or dismissed from, any position in the classified service, or in any way favored or discriminated against with respect to employment in the classified service because of his or her political or religious opinions or affiliations, race [[or sex]], DISABILITY, COLOR, NATIONAL ORIGIN, IMMIGRATION STATUS, AGE, OCCUPATION, MARITAL STATUS, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, OR PERSONAL APPEARANCE."

### Other Comments:

None.