



Legislation Text

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**Equal Protection Of Law In Annapolis** - For the purpose of amending the Code of the City of Annapolis to incorporate provisions applicable to City employees in the performance of their duties and to establish an additional mechanism for sanctioning employees failing to fulfill their duties in accordance with applicable City, State and Federal laws.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 5-17**

**Introduced by: Alderwoman Pindell Charles**

**Referred to**

Rules and City Government Committee  
Public Safety Committee

**AN ORDINANCE** concerning

**EQUAL PROTECTION OF LAW IN ANNAPOLIS**

**FOR** the purpose of amending the Code of the City of Annapolis to incorporate provisions applicable to City employees in the performance of their duties and to establish an additional mechanism for sanctioning employees failing to fulfill their duties in accordance with applicable City, State and Federal laws.

**BY** repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis,  
2016 Edition  
3.04.010  
3.12.030

**WHEREAS**, the City of Annapolis takes great pride in its historic participation in establishing the foundations of the American commitment to fundamental fairness and equal protection; and

**WHEREAS**, it is a mission of the City to promote good governance based on the rule of law and its commitment to fundamental fairness and equal protection; and

**WHEREAS**, the United States Constitution and the Maryland State Constitution incorporate the principles of fundamental fairness and equal protection under law; and

**WHEREAS**, the City desires to inform its employees of the importance of adhering to these principles and conforming their actions and responsibilities to these principles.

**NOW, THEREFORE,**

**SECTION 1: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

**TITLE 3 - HUMAN RESOURCES**

**CHAPTER 3.04 - GENERAL PROVISIONS**

**Section 3.04.010 - Definitions**

For the purposes of this title, the following words and phrases have the meanings indicated:

"Anniversary date," also known as "review date" or "increment date," means that date on which an employee is eligible to receive an in-grade pay increase, normally twelve months from the date of hire and each twelve months thereafter. This date may only be changed by awarding an in-grade pay increase later than the date it is due.

"Appointing authority" means:

1. The Mayor, for positions assigned to the office of the Mayor.
2. The City Manager for the director of each department.
3. The director of each department, for positions assigned to that department.

"Appointment list" means a list containing the names of qualified applicants for a particular position which may be ranked on the basis of one or more of the following: applicant's qualifications, competitive examination score(s) and personal interview.

"Civil Service" means the system which includes the regulations and procedures prescribed in and promulgated under the authority of this chapter, the Civil Service Board, the job descriptions, the pay plan and all of the employees who are included in the system.

"Classification" means the process of reviewing the duties and responsibilities of a position or positions and incorporating these duties and responsibilities into a job description.

"Demotion" means the voluntary or involuntary movement of an employee from a pay grade to a lower pay grade.

"Employee" means the person employed to perform the work of a position.

**"EQUAL PROTECTION" MEANS IN ACCORDANCE WITH THE 14<sup>TH</sup> AMENDMENT OF THE UNITED STATES CONSTITUTION, THE CITY SHALL TREAT A PERSON OR CLASS OF PERSONS THE SAME AS IT TREATS OTHER PERSONS OR CLASSES IN LIKE CIRCUMSTANCES.**

"Exempt service" means positions designated by the City Council which are specifically not included in the civil service or other excluded service. See 3.08 for a list.

"Job description" means a written explanation of one position or of several very similar positions which always includes a title, a general definition of responsibilities, a list of typical duties and the minimum required qualifications.

"Other excluded service" includes all other persons rendering temporary service under contract and positions involving seasonal or part-time employment except those specifically placed in the civil service system by the Civil Service Board or those designated as exempt service by the City Council. Any positions not included in the civil service or the exempt service are considered to be "other excluded service."

"Pay plan" means the written chart which places every job description in a pay grade. Each pay grade consists of a maximum and minimum level and intermediate levels of pay.

"Permanent status" means the status given to a civil service employee who has successfully completed the initial probationary period, or any extension of an initial probationary period.

"Position" means a group of duties and responsibilities assigned to an employee. A position can be vacant or occupied.

"Probationary status" means the status given to a new, a transferred or a promoted civil service employee for the designated period during which the employee must initially demonstrate an ability to perform the duties of the position to which appointed.

"Promotion" means the movement of a civil service employee from one pay grade to a higher pay grade.

"Reclassification" means the process of reviewing the duties and responsibilities of an existing position or positions in order to revise the job description to which the position or positions are assigned; or moving a job description from one pay grade to another pay grade.

"Transfer" means the movement of a civil service employee from one position to another in the same pay grade.

## **CHAPTER 3.12 - CIVIL SERVICE ADMINISTRATION**

### **Section 3.12.030 Human Resources Manager - Duties**

The Human Resources Manager shall be responsible for:

- A. Administering personnel actions;
- B. Maintaining necessary personnel records for all employees and of the proceedings of the Civil Service Board;
- C. Supervising the soliciting, examining and selecting of applicants for all vacant positions;
- D. Disseminating information regarding actions of the Civil Service Board;
- E. Adopting and promulgating rules and regulations governing personnel matters, not in conflict with THE UNITED STATES CONSTITUTION, THE MARYLAND STATE CONSTITUTION, the Charter, this

Code or any ordinance, to implement the provisions of this title. The rules and regulations shall become effective not less than forty-five days following its promulgation and transmission to the City Council by the Human Resources Manager, unless an objection to the rules or regulations, or any portion, is registered by the City Council by a resolution adopted prior to the effective date of the rules or regulations. In addition to the foregoing, the City Council may adopt by resolution any rule or regulation recommended by the Human Resources Manager for expedited implementation. If so adopted, each such rule or regulation shall become effective upon the approval of the resolution.

- F. ~~THE HUMAN RESOURCES MANAGER SHALL PROVIDE~~PROVIDING EACH EMPLOYEE WITH A STATEMENT INCORPORATING THE CITY'S COMMITMENT TO PRINCIPLES OF FUNDAMENTAL FAIRNESS AND EQUAL PROTECTION AND SUCH EMPLOYEE'S RESPONSIBILITIES TO FULFILL ASSOCIATED RESPONSIBILITIES AND THE POTENTIAL DISCIPLINARY SANCTIONS ASSOCIATED WITH A FAILURE TO FULFILL SUCH RESPONSIBILITIES IN ACCORDANCE WITH CHAPTER 3-16.120 HEREIN.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

**EXPLANATION**

CAPITAL LETTERS indicate matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments