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AM-231-1

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Hiring and Transfers

SCOPE

This policy applies to all City agencies (Civil Service and non-Civil Service) and includes the following personnel actions, regardless of the type of funding:

- Hiring (to include full-time or part-time permanent, temporary, and labor employees).
- Transfers.

This policy does **not** apply to promotions.

PERSONNEL ACTIONS

For additional information concerning the subjects listed below, see the cited Administrative Manual documents:

- Permanent Positions and Employees: AM-232-1
- Labor Positions and Employees: 233-1
- Temporary Employees: AM-234-1
- Promotions: AM-235-1

TRANSFER DEFINED

A transfer is the filling of a vacant position with a City employee whose job class is the same as that of the vacant position (or related and carrying a lower salary than that of the vacant position) and who is:

- Filling a position in an agency or program other than where the vacancy occurs,
AND/OR
- Filling **any** position which has funding different from that of the vacant position.

Personnel who change their employment from a non-Civil Service position to a Civil Service position, or vice-versa, are **not** considered "transfers," but instead are considered to be new employees.

A shift of personnel within a program, which does not involve a change in funding, is not considered a transfer.

REQUIREMENTS

(7/14/76)

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In order to hire or transfer personnel, all of the following requirements must be met by the requesting agency:

- A vacant position must exist in the appropriate program of the agency's approved budget. (In the case of temporary and part-time employees, funds for the proposed action must be available in the agency's budget.) If no vacant position exists, the creation of a new position must be approved by the Board of Estimates [AM-230-3].
- Approval of the proposed action must be obtained from the Civil Service Commission (where appropriate) and the Mayor's Expenditure Freeze Committee.

USE OF "IN LIEU" CLASSES

An agency may fill a vacant position with an employee whose job class is not the same as the class of the vacant position if such action will allow the individual to gain the necessary experience to qualify for the class. To be eligible, the employee's class and the class of the vacant position must be in the same class series. (For example, a Senior Clerk position may be filled with a Clerk "in lieu" of a Senior Clerk.)

LEAVE OF ABSENCE

If an agency wishes to fill the position of an employee who is on a leave of absence without pay, the **employee on leave** must be placed in an inactive payroll status by submission of a CHANGE NOTICE (28-1618-5143 or 28-1428-5108) [AM-205-4-5]. The CHANGE NOTICE must include the following special entries:

- Work Code -- Specify "9".
- Loc (location) -- Specify "999".
- Job Number -- Specify "zzz-zzzzz".
- Budget Account Number -- Specify "103" for the sub-object (last 3 digits of the account number)

PROHIBITED ACTIONS

The following personnel actions are prohibited and will not be approved under any circumstances:

- Filling a vacant position with an employee whose job class is in the same class series as the vacant position, but has a salary range which is higher than the budgeted position, (for example, filling a vacant Clerk position with a Senior Clerk "in lieu" of a Clerk).
- Placing more than 1 person in the same budgeted position.

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CITY RESIDENCE

When filling a vacant position by hiring a new employee, agencies must give preference to City residents. If an agency finds it necessary to fill the position with a non-City resident, approval must first be obtained from the Mayor by submitting a NON-CITY RESIDENT APPROVAL REQUEST (28-1528-5036) [AM-231-1-2].

TRANSFERS

When filling a vacant position by transfer, agencies are not required to give preference to City residents. However, if the transfer will also involve the promotion of an employee, preference **is** to be given to City residents. If an agency wants to transfer **and** promote a non-City resident, approval must first be obtained from the Mayor by submitting a NON-CITY RESIDENT APPROVAL REQUEST (28-1528-5035) [AM-231-1-2].

NOTIFICATION OF ILLEGAL STRIKE ACTIVITY

Supervisors must inform all new City employees that it is illegal for them to engage in any type of strike-related activity against the Mayor and City Council of Baltimore. Employees must sign a RECEIPT OF STRIKE INFORMATION (28-1408-5024) [AM-231-1-3] to confirm that they have received this information.

NOTE: If an employee refuses to sign this acknowledgement, the supervisor must note this on the form.

This acknowledgement must be retained in the agency files with the "Record Copy" of the employee's ENTRY TICKET [M-205-4-2]. If an employee transfers to another City agency, the acknowledgement must be forwarded to the gaining agency for retention in their file with a copy of the CHANGE NOTICE [AM-205-4-5].