

**CITY OF BALTIMORE
COUNCIL BILL 10-0622
(First Reader)**

Introduced by: Councilmembers Curran, D’Adamo, President Young, Councilmembers Branch,
Conaway, Spector, Holton, Clarke, Welch, Reisinger, Kraft, Middleton, Henry
Introduced and read first time: November 22, 2010
Assigned to: Labor Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Civil Service Commission, Department
of Human Resources, Labor Commissioner, Health Department

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Hiring Preferences for Persons with Disabilities**

3 FOR the purpose of requiring the Civil Service Commission to establish standards for
4 establishing and maintaining a preference for the appointment of qualified persons with a
5 disability; specifying the required contents and limitation of these standards; and generally
6 relating to the hiring of persons with disabilities.

7 BY adding

8 Article 1 - Mayor, City Council, and Municipal Agencies
9 Section(s) 7-8
10 Baltimore City Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 1. Mayor, City Council, and Municipal Agencies**

16 **Subtitle 7. City Officers and Employees**

17 **§ 7-8. HIRING PREFERENCE FOR PERSONS WITH DISABILITIES.**

18 (A) *FINDINGS.*

19 (1) PERSONS WITH DISABILITIES ARE A LARGELY UNTAPPED RESOURCE FOR OUTSTANDING
20 CANDIDATES FOR CITY EMPLOYMENT.

21 (2) PERSONS WITH DISABILITIES SUFFER FROM A HIGH UNEMPLOYMENT AND
22 UNDEREMPLOYMENT RATE IN THE CITY DUE IN PART TO UNFOUNDED MYTHS, FEARS,
23 AND STEREOTYPES THAT ARE ASSOCIATED WITH MANY DISABILITIES.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (3) A HIRING PREFERENCE FOR PERSONS WITH DISABILITIES IS NECESSARY TO REMEDY
2 PAST DISCRIMINATION RESULTING FROM THESE UNFOUNDED MYTHS, FEARS, AND
3 STEREOTYPES.

4 (B) *CIVIL SERVICE COMMISSION TO SET STANDARDS.*

5 THE CIVIL SERVICE COMMISSION MUST ADOPT REGULATIONS THAT SET STANDARDS FOR
6 ESTABLISHING AND MAINTAINING A PREFERENCE FOR THE INITIAL APPOINTMENT OF
7 QUALIFIED PERSONS WITH A DISABILITY INTO CIVIL SERVICE POSITIONS.

8 (C) *CONTENTS OF STANDARDS.*

9 THE STANDARDS ADOPTED UNDER THIS SECTION:

10 (1) MUST DEFINE A PERSON WITH A DISABILITY ELIGIBLE FOR THE PREFERENCE AS:

11 (I) A PERSON WITH MEDICAL PROOF OF A DEVELOPMENTAL DISABILITY, A
12 SEVERE PHYSICAL DISABILITY, OR A PSYCHIATRIC DISABILITY; OR

13 (II) A VETERAN RATED BY THE DEPARTMENT OF VETERANS AFFAIRS WITH A
14 COMPENSABLE SERVICE-CONNECTED DISABILITY OF 30% OR MORE;

15 (2) MUST REQUIRE MEDICAL CERTIFICATION OF A QUALIFYING DISABILITY; AND

16 (3) MUST ESTABLISH THE FOLLOWING ORDER OF PREFERENCE:

17 (I) AN EMPLOYEE WHO IS UNABLE TO PERFORM THE EMPLOYEE'S JOB BECAUSE
18 OF A DISABILITY OR INJURY UNDER THE ADA;

19 (II) AN EMPLOYEE SUBJECT TO REDUCTION-IN-FORCE;

20 (III) AN EMPLOYEE WHO WAS GRANTED A TEMPORARY DISABILITY RETIREMENT
21 UNDER A RETIREMENT SYSTEM OF THE CITY OR AN INITIAL OR TEMPORARY
22 DISABILITY BENEFIT, BUT IS NO LONGER ELIGIBLE FOR THAT TEMPORARY
23 DISABILITY RETIREMENT OR BENEFIT;

24 (IV) A VETERAN WITH A DISABILITY; AND

25 (V) AN EQUAL PREFERENCE FOR A VETERAN WITHOUT A DISABILITY AND A
26 NON- VETERAN WITH A DISABILITY.

27 (D) *LIMITATION OF PREFERENCE.*

28 THE STANDARDS ADOPTED UNDER THIS SECTION MAY APPLY THE PREFERENCE ONLY TO A
29 PERSON WHO IS AMONG THE HIGHEST RATING CATEGORY IN A NORMAL COMPETITIVE
30 PROCESS.

31 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
32 are not law and may not be considered to have been enacted as a part of this or any prior
33 Ordinance.

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1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.