

**CITY OF BALTIMORE
COUNCIL BILL 08-0053R
(Resolution)**

Introduced by: Councilmembers Young, D'Adamo, Henry, Branch, Reisinger, Welch, Conaway,
Clarke

Introduced and read first time: June 16, 2008

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: Department of Human Resources, Labor
Commissioner, Community Relations Commission

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Informational Hearing - Suspension Practices of City Agency Supervisors**

3 FOR the purpose of requesting the Director of Human Resources and all Baltimore City
4 Department and Union Heads to brief the City Council regarding the current suspension
5 practices within Baltimore City agencies, the different types of suspensions available for
6 disciplining employees, the number of City employees suspended from each agency, and the
7 impact that current suspension practices have on the City's workforce.

8 **Recitals**

9 According to the current Baltimore City Disciplinary policy, the purpose of disciplinary
10 action is to improve employee work performance or correct unsatisfactory behavior. Section 350
11 of the Personnel Manual states that "Discipline requires identifying problem areas in an
12 employee's work, redirecting the employee in proper procedures to follow, and occasionally,
13 imposing punishment for repeated or serious offenses".

14 Under the current practices the primary emphasis of disciplinary action is corrective rather
15 than punitive, and in most cases a simple oral reprimand should be deemed sufficient to change
16 the employee's work behavior. Rules, policies and standards should be developed for similar
17 employees and applied uniformly by supervisors. All similar cases should be treated alike.

18 Under Rule 350, supervisors are responsible for taking prompt disciplinary action against
19 employees who break a rule or perform badly, but are not to be considered "problem employees"
20 unless they are habitual or consistent offenders. There are 11 steps a supervisor should take
21 prior to suspension of employees. These procedures require supervisors to:

- 22 1. Cool Off
- 23 2. Investigate
- 24 3. Seek Privacy
- 25 4. Concentrate on the Issue
- 26 5. Listen
- 27 6. Assume Responsibility
- 28 7. Recognize the effect on other employees
- 29 8. Explain what comes next

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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- 1 9. Repeat and Summarize
- 2 10. Prepare a written summary
- 3 11. Get outside help if necessary

4 Disciplinary actions include a range of responses to situations where the employee disobeyed
5 the rules or did not follow orders. The first step is a reprimand. Whether written or oral, a
6 reprimand states that the employee’s work was incorrect or unsatisfactory and that the work
7 needs improvement. The next step is a warning. The warning is a harsher form of notice than
8 the reprimand and informs an employee that actions may be taken against them. Supervisors
9 may also deny an employee privileges, such as withholding discretionary assignments or benefits
10 pending an employee's improvement.

11 Supervisors may also suspend employees without pay. Suspension is an ordered absence
12 from duty, without pay, to impose a financial penalty, and to emphasize good work and
13 compliance with standards as a condition of continued employment. Suspension of classified
14 Civil Service employees is limited to 30 calendar days, unless the employee is under
15 investigation for criminal acts.

16 Although these policies are in place, recent reports have stated that not all City agencies have
17 been going through the necessary steps prior to the suspension of certain city employees. Every
18 supervisor must give each employee his or her due process rights and follow all City rules in
19 relation to suspension and reprimands. This informational hearing will provide a sounding board
20 to open a dialogue, so that every current and future Baltimore City employee, will be treated
21 properly prior to any suspension or reprimand. Hopefully, through conversation, Human
22 Resources can clarify the current policies, be able to properly assess workplace situations, and
23 guarantee that all City Employees are treated with the respect they deserve.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
25 Body requests the Director of Human Resources and all Baltimore City Department and Union
26 Heads to brief the City Council regarding the current suspension practices within Baltimore City
27 agencies, the different types of suspensions available for disciplining employees, the number of
28 city employees suspended from each agency, and the impact that current suspension practices
29 have on the City’s workforce.

30 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
31 Director of Human Resources, the President of the AFSCME Local 44, the President of the
32 AFSCME Local 558, the President of the AFSCME Local 2202, the President of the City Union
33 of Baltimore, the President of the Fire Fighters Union, the President of the Fraternal Order of
34 Police, the President of MAPS, and the Mayor’s Legislative Liaison to the Council.