

Department of Budget and Management

NOTICE

This notice is given by David R. Brinkley, Secretary of the Department of Budget and Management, acting pursuant to the Proclamation of Governor Lawrence J. Hogan, Jr. (the "Governor") dated March 5, 2020 proclaiming a state of emergency and a catastrophic health emergency related to COVID-19, as it may be amended or renewed from time to time, and the Order of the Governor dated March 12, 2020 entitled "Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements", as it may be amended from time to time, after finding that the action(s) described herein will not endanger the public health, welfare, or safety. The Secretary is also acting with the authority over the State Personnel and Management System ("SPMS") granted to him under Md. Code, State Personnel and Pensions Art. ("SPP") § 6-102.

All time frames for the imposition of disciplinary action, appealing a disciplinary action, and addressing a disciplinary appeal, set forth in Title 11 of the State Personnel and Pensions Article (SPP), including §§ 11-106, 11-109, 11-110, and 11-113, as well as regulations 17.04.05.03, 17.04.05.04, and 17.04.07.03A of the Code of Maryland Regulations (COMAR), are hereby tolled. Any effect of SPP §§ 11-106, 11-108, 11-110, and 11-113 and COMAR 17.04.05.03, 17.04.05.04, and 17.04.07.03A inconsistent with the foregoing is hereby suspended.

All time frames for filing, appealing, or addressing a grievance pursuant to the grievance procedure contained in Title 12 of the State Personnel and Pensions Article (SPP), including SPP §§ 12-203, 12-204, and 12-205 are hereby tolled. Any effect of SPP §§ 12-203, 12-204, and 12-205 inconsistent with the foregoing is hereby suspended.

All time frames for actions the appointing authority is required or permitted to take while an employee is on probation pursuant to the State Personnel and Pensions Article (SPP), including §§ 7-403, 7-404, 7-405, 11-303, and 11-304 are hereby tolled. Any effect of SPP §§ 7-403, 7-404, 7-405, 11-303, and 11-304 inconsistent with the foregoing is hereby suspended.

All time frames for actions the appointing authority is required or permitted to take with regard to employee performance appraisals pursuant to Title 7, Subtitle 5 of the State Personnel and Pensions Article (SPP), and COMAR 17.04.05.03F and G are hereby tolled. Any effect of SPP Title 7, Subtitle 5 or COMAR 17.04.05.03F and G inconsistent with the foregoing is hereby suspended.

The time frame for an employee to respond to a counseling memorandum pursuant to § 11-107(a)(2) of the State Personnel and Pensions Article (SPP), is hereby tolled. Any effect of SPP § 11-107(a)(2) inconsistent with the foregoing is hereby suspended.

The time frame for a unit to report an employee's voluntary or involuntary separation from employment with an unsatisfactory employment record pursuant to COMAR

17.04.04.04A is hereby tolled. Any effect of COMAR 17.04.04.04A inconsistent with the foregoing is hereby suspended.

The remainder of any probationary period or extension of probation which an employee is still required to serve, and the appointing authority's right to extend probation pursuant to §§ 7-402 and 7-403 of the State Personnel and Pensions Article (SPP), is hereby tolled. Any effect of SPP §§ 7-402 and 7-403 inconsistent with the foregoing is hereby suspended.

This Notice is effective immediately and shall remain in effect until 30 days after the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded.



David R. Brinkley
Secretary, Budget and Management

March 30, 2020

Date