

8. It shall be the duty of the chairman of the Personnel Board or the Personnel Officer, as the case may be, to maintain order during the hearings. Whenever confusion or disorder arises, in the hearing room, or demonstrations of approval or disapproval are indulged in by the persons in attendance, it shall be the duty of the chair, or the Personnel Officer, if the Personnel Officer is holding the hearing, to enforce order on its own initiative without any point of order being made. Under circumstances of confusion and disorder, the chair shall have the power, and it shall be the duty of the chair, to order the hearing room cleared or to recess the hearing, and the chair may upon its own motion without a second or putting the matter to a vote, order the hearing adjourned to a fixed date and hour.

9. The Personnel Board, or the Personnel Officer, as the case may be, may take the case under advisement for further deliberation and later decision. For proper reasons shown, the case may be recessed to receive additional evidence at a later time if the Board or Personnel Officer deems that it is essential in making a proper decision. Neither the Personnel Officer nor the Personnel Board may consider any additional evidence from either side after the hearing is concluded, except in a recessed case and then in open hearing. Any further attempt by either side to influence the decision of either the Personnel Officer or the Personnel Board after the hearing shall not be permitted. Any communications of any kind concerning the subject matter of the hearing shall not be considered after the hearing has ended.

10. The final decision and order of the Personnel Officer, or the Personnel Board, as the case may be, shall be in writing, signed by the chairman if a result of a Personnel Board hearing and signed by the Personnel Officer if the Personnel Officer held the hearing. The decision and order shall contain findings of fact and conclusions of law as well as the final decision settling the grievance. The decision and order shall be made a part of the record of proceedings and shall be filed with the Personnel Officer and maintained by him as a part of the official employee records of the County. Each case shall be decided and the final decision and order shall be issued not later than thirty (30) days after the end of the hearing, unless cause to the contrary be shown in the record. The Board may, upon its own motion and with reasons therefor, extend the time of final decision for a period not exceeding ninety (90) days from the end of the hearing date. A copy of the final decision and order shall be sent to the employee and all other parties in interest within two (2) working days of its issuance.

11. The decision of the Personnel Officer may be appealed to the Personnel Board as in Step 4 above, but the finding of facts in an appeal taken to the Personnel Board shall be final.

12. Neither the Personnel Officer nor the Personnel Board shall be bound by technical rules of evidence during the hearing, but may hear all evidence which is relevant and germane to the subject matter of the hearing. The decision and order shall be based only on substantial and probative evidence adduced at the hearing.

*Section 2. And be it further enacted by the County Council of Howard County, Maryland, That if any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.*