

- (1) each member and employee of the Montgomery County Revenue Authority;
- (2) each commissioner and employee of the Montgomery County Housing Opportunities Commission; and
- (3) [if the Ethics Commission determines that the County Ethics Law is more stringent than the State Ethics Law, the] County employees of the [County health department, each of whom shall be covered by both the County Ethics Law and the State Ethics Law] MONTGOMERY COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Except for the local director, the State Personnel Management System classified service employee status of employees of the Montgomery County Department of Social Services shall be abolished. All employees of the Montgomery County Department of Social Services shall continue in their current positions subject to the Montgomery County merit system. Personnel actions affecting the employees shall be governed by Montgomery County law. An employee who has not completed a probationary period by the effective date of this Act continues on probation in the same manner as a county employee hired on the same date as the employee who is transferred under this Act. The State personnel files of an employee transferred under this Act shall be made available to the Montgomery County appointing authority. When taking a personnel action, the appointing authority may consider a personnel action taken prior to the transfer under this Act. All grievances, appeals and other personnel actions accruing on or before the effective date of this Act shall be decided under procedures used for classified service employees in the State Personnel Management System.

(b) An employee transferred under this Act shall receive no diminution in compensation or accrued leave solely as a result of this Act taking effect. Accumulated annual, sick, and compensatory leave shall be credited to the employee in amounts that equal the greater of the State or county balance for each type of leave. The employee may accumulate annual leave in excess of that allowed under applicable Montgomery County law up to ~~a the maximum of 360 hours~~ allowable State carryover leave in effect on October 1, 1996. The employee shall be entitled to the same amount of military leave allowable under State law. Length of service earned by an employee transferred under this Act shall be used in determining length of service as a county employee for the purpose of determining leave accrual and reduction in force rights. An employee who elects not to be transferred under this Act shall be entitled to be separated from service and granted reduction in force rights in the State system. An employee transferred under this Act shall have the option to receive the health and other employee benefits available to new Montgomery County employees at the time the option is elected or the employee may elect to continue to receive the employee benefits the employee is receiving at the effective date of this Act, including county health benefits that duplicate those offered through the State. An employee may continue to receive State employee benefits as long as the employee remains an employee of Montgomery County and, with the exception of health benefits, has not elected to receive the same type of benefits from Montgomery County. Montgomery County shall pay the employer contribution for State employee benefits at the State rate. State employee benefits may not be reinstated once the