The State of Maryland

Executive Department

EXECUTIVE ORDER
01.01.2015.10

State Employees' Voluntary Separation Program

WHEREAS, The State of Maryland continues to experience significant revenue shortfalls as a result of a stagnant State economy, which has resulted in a budget gap of $1.25 billion over Fiscal Year 2015 and Fiscal Year 2016;

WHEREAS, In order to balance the Fiscal Year 2015 and Fiscal Year 2016 budgets it is necessary to reduce the size of the State workforce by the end of Fiscal Year 2015;

WHEREAS, A widely available program designed to permit State employees to voluntarily separate from State employment in return for certain severance benefits will mitigate the need for significant layoffs in the future;

WHEREAS, It is in the interest of the State to allow employees at all but the highest levels of State government to participate in a voluntary separation program that provides them with the flexibility to decide whether or not they wish to separate from State service; and

WHEREAS, The Governor's broad constitutional and statutory authority over the management and supervision of State employees has previously been used to create and implement a voluntary separation program for State employees.

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE FEBRUARY 18, 2015:

A. Except as provided in Paragraph J, this Executive Order applies to all employees in the Executive Branch of the State of Maryland, including employees of agencies with independent salary setting authority or independent personnel systems.

B. The Secretary of Budget and Management (Secretary) shall establish a Voluntary Separation Program (Program) that provides eligible State employees with a monetary payment of $15,000 plus $200 for each year of service as an incentive for employees to voluntarily separate from State service. The Program shall also include other severance benefits established by the Secretary including continuation, for those who are already enrolled, of State subsidized medical, prescription and dental benefits coverage for three months and payment for leave accrual in accordance with applicable law.

C. The Secretary shall establish criteria for employee participation in the Program and shall provide all eligible employees with sufficient information about the program to allow them to make fully informed decisions.

D. The Program shall be completely voluntary, and no employee shall be in any way compelled, coerced, or pressured, directly or indirectly, to participate.

E. Interested employees may apply to participate in the Program by filing an application with the Secretary. The agency employing an applicant shall advise the Secretary if the employee is in a position that should not be abolished. After considering the recommendations of employing agencies, the Secretary shall determine which applications will be accepted.

F. The filing of an application shall not create a right to participate in the Program. Only employees whose applications are approved by the Secretary will be permitted to participate in the Program.

G. Employees accepted into the Program shall agree that they will not seek or accept employment or work in any capacity, including as an employee, contractor, or employee of a contractor, with any Executive Branch agency, public institution of higher education, or any other State agency or unit for a period of 18 months following their separation. An employee accepted into the Program who violates this reemployment prohibition shall be required to reimburse the State for the full amount of the severance payment and the cost of the subsidized health benefits.

H. The positions of all employees accepted into the Program shall be abolished.

I. The Secretary, the heads of every other personnel system, and the appointing authorities shall take all action as necessary or desirable to implement the Program. The Secretary, the heads of every other personnel system, and the appointing authorities shall implement this Program with the least possible disruption to the provision of State services.

J. This Executive Order does not apply to:

(1) The Legislative Branch;

(2) The Judicial Branch;

(3) Persons holding any civil office of profit or trust under the Maryland Constitution;

(4) Employees of the Attorney Grievance Commission, the Baltimore City Sheriff's Office, the Chesapeake Bay Commission, the College Savings Plans of Maryland, all local health departments, the Injured Workers' Insurance Fund, the Maryland African American Museum Corporation, the Maryland Automobile Insurance Fund, Maryland Environmental Service, the Maryland Food Center Authority, the Maryland Stadium Authority, and the Registers of Wills;

(5) Cabinet officials, agency heads, and members of any board or commission;

(6) Direct care employees in health, juvenile services, and correctional facilities, police officers employed by the State, and other employees designated by the Secretary of Budget and Management who work on a shift schedule providing services as part of a 24-hour operation;

(7) Positions, classifications, and agencies or parts of agencies designated as exempt from the Program by the Secretary; and

(8) Employees of the University System of Maryland, St. Mary's College of Maryland, and Morgan State University; however the University System of Maryland, St. Mary's College of Maryland, and Morgan State University may implement voluntary separation programs at each university in accordance with its rules and regulations and subject to the approval of its governing board.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 18th - day of February, 2015.

Lawrence J. Hogan, Jr.
Governor

ATTEST:

John C. Wobensmith
Secretary of State