

## DIVISION OF HUMAN RESOURCES

### 2.7.1 POLICY ON THE REFERRAL BONUS PROGRAM

#### (a) Purpose and Scope

##### (1) Purpose

The purpose of this policy is to recognize and reward Judiciary state-paid employees for referring applicants to vacant Judiciary state-paid positions for which the applicants are subsequently hired.

The program offers a bonus to an eligible Judiciary state-paid employee who refers an applicant to an eligible state-paid vacant position and the applicant is subsequently hired into that position. This program will improve the quality of applicants for employment and reduce the time to fill vacant positions.

##### (2) Scope

(A) This policy applies to:

- (i) employees who are paid through the Central Payroll Bureau of the Comptroller; and
- (ii) employees of the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

(B) This policy does not apply to:

- (i) locally funded employees in the circuit courts;
- (ii) the employees of the Register of Wills or the Orphans' Court;
- (iii) the employees of the Attorney Grievance Commission and the Client Protection Fund; and
- (iv) justices, judges, magistrates, and elected officials.

#### (b) Definitions

##### (1) Administrative Head:

- (A) For the Supreme Court of Maryland, the Clerk of the Court for all employees under the Clerk's supervision, and the Chief Justice for all other employees of that Court;
- (B) For the Appellate Court of Maryland, the Clerk of Court for all employees under the Clerk's supervision and the Chief Judge for all other employees of that Court;
- (C) For the circuit courts, the Clerk of the Court for all employees under the Clerk's supervision, and the County Administrative Judge for all state employees under their supervision;
- (D) For the District Court, the Chief Judge of the District Court, the Chief Clerk, the Administrative Clerk, or the Administrative Commissioner for all employees under their supervision;
- (E) For the Administrative Office of the Courts (AOC), the State Court Administrator;
- (F) For any units, the head of the unit where the employee works; or,
- (G) Any person who serves as the authorized designee, by express written designation, of any of the foregoing persons.

**(2) Contractual Employee or Position**— Any state-paid employee whose conditions of employment and compensation are specified in a personal services contract or any state-paid position covered by a personal services contract.

- (3) **Current Employee** (for this purpose of this policy) – A state-paid regular or contractual employee active on payroll at the time of hire of an applicant that was referred to the Judiciary.
- (4) **Demotion** – A change from one job classification to another job classification within the Judiciary with a lower market minimum salary.
- (5) **Eligible Employee** – A state-paid regular or contractual employee may be eligible for the referral bonus. This does not include for purposes of this policy:
  - (A) Justices, Judges, and Magistrates;
  - (B) State Court Administrator;
  - (C) Assistant State Court Administrator for Human Resources, employees of the Talent Acquisition Office in the JHRD, or any other employee within the JHRD who has recruitment responsibilities;
  - (D) The hiring manager and interview panel members for the position they are recruiting for;
  - (E) A Supervisor, Manager, or Lead worker for the position being recruited for; and,
  - (F) The Administrative Head for positions within the court or office over which they serve in that capacity.
- (6) **Eligible Vacant Positions** – A state-paid regular or contractual position, or a limited-term law clerk position, for which a recruitment is taking place.
- (7) **Judiciary Human Resources Division (JHRD)** – The division within the AOC that is responsible for, but not limited to, the following functions for state employees in the Maryland Judiciary: human resources policy development, administration, and interpretation; talent acquisition; employment and orientation services; employee benefits; position classification and salary administration; and employer-employee relations.
- (8) **Promotion** – An action by which an employee moves from one position to another position that has a higher pay range.
- (9) **Recruitment** – The process of finding qualified applicants to fill a vacant Judiciary position.
- (10) **Regular Employee or Position** (for the purpose of this policy) – Any person holding a Maryland Judicial Branch budgeted position paid through the Central Payroll Bureau of the Comptroller, not including appointed positions, elected officials, employees of a Register of Wills office, temporary positions, and those held by justices, judges, magistrates.
- (11) **Temporary Employee** – A state-paid employee whose condition of employment is not governed by a personal services contract, whose position is not specifically budgeted, and whose period of employment shall not exceed one year from the date of hire.
- (12) **Transfer, Internal** – The movement of an employee outside the employee’s current office or unit within the Judiciary, in which the employee’s pay range does not change, but the employee’s PIN does change. A transfer may include a change in the work hours, work shift, work location, work assignment, and/or work supervisor of an employee. Such a transfer may include a selection process. Any transfer is conditional upon the employee meeting the minimum qualifications for the new position.
- (13) **Transfer, Intra-agency** – An employee of another unit of Maryland State government may transfer into a position with the Judiciary only following a competitive selection process. Such a transfer may result in a change in the employee’s pay, depending on the pay range assigned to the position to which the employee transfers.
- (14) **Unit** – The State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Supreme Court of Maryland Standing Committee on Rules of Practice and Procedure.

(15) **Vacancy** – An approved position that is not occupied.

### (c) Eligibility for Bonus

- (1) **An employee is eligible to receive a referral bonus if they refer an applicant to an eligible position and the applicant is subsequently hired and onboarded into that position and both the employee and the applicant remain actively employed at the time of the payment of the referral bonus. A referral bonus requires that:**
  - (A) The employee must be identified on the application as the referral source.
- (2) **For an employee to be eligible for the referral bonus:**
  - (A) The applicant who is referred cannot be a current Judiciary employee, whether state paid or locally funded, such as, but not limited to, someone for whom the new position would be an internal transfer, or a promotion or demotion, or would result in the employee moving from a locally funded to a state-paid position within the Judiciary.
  - (B) The applicant who is referred cannot be the relative of a current Judiciary employee.
  - (C) The applicant who is referred can be a former Judiciary employee who left Judiciary employment in good standing.
  - (D) The applicant who is referred can be an intra-agency transfer.
- (3) **Positions for which an employee would be eligible to receive a referral bonus:**
  - (A) A vacant state-paid regular position for which a recruitment is taking place.
  - (B) A vacant state-paid contractual position for which a recruitment is taking place.
  - (C) A vacant state-paid limited-term law clerk position for which a recruitment is taking place.
- (4) There is no limit to the number of referrals a current employee can make or for which they receive a bonus provided all criteria are met and there are funds available.

### (d) Procedure for Applying for the Bonus

- (1) Applicant Confirmation. The applicant must indicate the following on the job application within the CONNECT system:
  - (A) Referred to the position by a current employee.
  - (B) Identified the current employee by first and last name and Judiciary email address, if known.
- (2) The applicant must be hired into an eligible vacant position and the employee that referred the applicant must be a current employee at the time the applicant is hired.
- (3) If the above criteria are not met, the referring employee will not be eligible for the bonus.

### (e) Bonus

- (1) The bonus of seven hundred and fifty dollars (\$750.00) for each successful referral is subject to applicable taxes and standard payroll deductions. The current employee will receive the bonus in their regular paycheck.
- (2) The applicant must be hired and onboarded before the bonus will be paid to the current employee. The bonus may take up to three paychecks to be reflected in the current employee's paycheck following the applicant's start date, provided all conditions and procedures for eligibility are met in a timely manner, and funding is available.

**(f) Application of Policy**

The Chief Justice of the Supreme Court of Maryland may terminate this policy and/or modify the amount of the bonus at any time, subject to funding availability and budgetary constraints, or for other reasons, as determined by the Chief Justice. Disputes regarding the application of this policy are not subject to the Judiciary Policy on Grievances.

**(g) Exceptions**

The Chief Justice of the Supreme Court of Maryland or the State Court Administrator may make exceptions to any provision of this policy at any time.

**(h) Interpretive Authority**

The JHRD is responsible for the interpretation of this policy.

**(i) Not a Contract**

This policy does not constitute or create an express or implied contract. It is not intended to, and does not, create contractual obligations with respect to any matter it covers.