



MARYLAND STATE POLICE PERSONNEL DIRECTIVE



Reinstatement & Rehiring

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DLI Reference: 142: Reinstatement & Rehire Tprs.	Rescinds: Chapter 4, Sec. VII (C-E)
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.01 Purpose

To establish a procedure to reinstate or rehire certain employees who have separated from employment with the MSP.

.02 Policy

The MSP may reinstate or rehire certain employees who have separated from MSP employment if the conditions in this written directive are met.

.03 Definitions

ACTIVE POLICE EMPLOYMENT: law enforcement employment where the training and standards are under the jurisdiction of the Maryland Police and Correctional Training Commissions (MPCTC), or a similar governing body or agency if the period of employment is outside the State of Maryland.

NON-POLICE EMPLOYMENT: any employment that is not active police employment.

REHIRE: employment of former troopers who have been separated from the MSP for three or more years.

REINSTATEMENT: employment of former troopers who have been separated from the MSP for fewer than three years.

.04 References

[MD. CODE ANN., PUB. SAFETY §2-402.](#)

[MD. CODE ANN., STATE PERS. & PENS. §2-601.](#)

.05 CALEA Standards

LE: N/A

TA: N/A

CM: N/A

.06 Procedures

A. Applicability

Except for subsection G which applies to retired troopers who are rehired as civilian employees, this policy does not apply to:

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1. troopers who retire and are rehired as contractual troopers or civilian employees; or
2. civilian employees who retire and return in any contractual or part-time capacity.

B. Reinstatement & Rehiring – Troopers

1. When a vacancy exists and that vacancy has been authorized to be filled, the Superintendent may reinstate or rehire any former trooper who meets all requirements for initial appointment.
2. Troopers who have resigned from the MSP may, under certain conditions, be reinstated or rehired.
3. Reinstated and rehired troopers will not be eligible for promotion until they have completed 12 months of satisfactory service and any portion of their initial probationary period and meet all other requirements for promotion.
4. Reinstated and rehired troopers may be assigned to any installation/unit based on the needs of the MSP.

C. Rehiring – Troopers

1. Troopers who are rehired:
 - a. may be rehired only as trooper probationer;
 - b. will be given no credit for prior service completed; and
 - c. must agree to a period of training as prescribed by the Superintendent
2. A rehired trooper must serve a two-year probationary period beginning on his date of re-employment.

D. Reinstatement – Troopers

1. A trooper who is reinstated within 90 days of his resignation will:
 - a. be reinstated to his former rank; and
 - b. retain all seniority rights.
2. A trooper who is reinstated after 90 days of his resignation will:
 - a. re-enter at the rank of trooper, regardless of the rank he held at the time of resignation; and
 - b. will be given credit for his prior service and be placed on the seniority roster in the rank of trooper, below current employees having the same or equal creditable service and will be entitled to the commensurate pay increment.
3. A trooper who is reinstated, who was on probation at the time of his resignation, must complete the balance of his initial probationary period.

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E. Eligibility for Reinstatement or Rehire – Troopers

1. A former trooper is not eligible for reinstatement or rehire when he:
 - a. does not meet all the requirements for initial appointment;
 - b. was terminated in compliance with the Law Enforcement Officers' Bill of Rights for a violation of MSP rules of conduct;
 - c. was not recommended for reinstatement or rehire, unless the Superintendent waived the recommendation requirement; or
 - d. is applying to be rehired or reinstated for the third time.
2. A person applying for reinstatement or rehire after 90 days must:
 - a. pass the applicant physical examination, including the Functional Fitness Assessment Test;
 - b. submit to a supplementary polygraph examination, covering the period of absence from the MSP;
 - c. submit to a supplemental background investigation; and
 - d. be recommended for re-employment by a Reinstatement Board of troopers appointed by the Superintendent.
 - e. The Reinstatement Board will:
 - (1) review the previous work of the applicant and all records considered necessary to make a recommendation;
 - (2) interview the applicant; and
 - (3) submit a written recommendation to the Superintendent.
3. Persons applying for reinstatement within 90 days of termination may be required to successfully complete one or more of the requirements listed under subsection (E)(2), above, at the discretion of the Superintendent.
4. The Superintendent will make the final decision regarding reinstatement

F. Training Following Reinstatement or Rehire – Troopers

1. The Education & Training Division will, based on the rehiring investigation, recommend a level of training to the Superintendent.
2. Reinstated and rehired employees must agree to specific training requirements established by the Superintendent, consistent with standards of the MPCTC.
 - a. Generally, troopers reinstated within 90 days of their resignation will not require additional training.
 - b. Troopers reinstated after 90 days following their resignation may be required to complete additional training.
 - c. When determining the need for and the extent of training, the Superintendent will consider:
 - (1) the length of separation;
 - (2) active police employment during the period of separation;

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- (3) police certification (MPCTC) status; and
- (4) related training received during the period of absence.
- d. Rehired troopers who have been certified by MPCTC as a police officer and have been separated from active police employment as a member in good standing for three years or less are not required to complete entrance level training.
- e. If the rehired employee's certification standards have not been met for the current calendar year in which the rehiring takes place, the employee must, within 30 days of the rehiring, complete a course of training to include at least:
 - (1) a mandated in-service program;
 - (2) entrance level emergency care training; and
 - (3) mandated firearms training and qualification.
- f. Troopers who, during their separation, were not engaged in active police employment and are not certified as a police officer, may be rehired and will complete a course of instruction determined by the Superintendent, consistent with MPCTC standards.
- g. Permanent employment for rehired or reinstated troopers will be based on the satisfactory completion of the required training and the applicable probationary status.

G. Reinstatement & Rehiring – Civilian Employees

- 1. The reinstatement and rehiring of civilian employees is governed by the Rules and Regulations of the Department of Budget & Management and the Annotated Code of Maryland, State Personnel & Pensions Article.
- 2. A former non-temporary State employee who returns to State employment in a position in the State Personnel Management System within three years from separation may be reinstated and will:
 - a. have unused accumulated sick leave restored; and
 - b. receive credit for time employed before separation for the purpose of determining the employee's:
 - (1) step in the pay grade applicable to the employee's class;
 - (2) rate of annual leave accrual; and
 - (3) seniority rights.

Approved:

Colonel Marcus L. Brown
Superintendent 01/01/2014