

missioner shall receive a salary as provided in the budget. The said Commissioner shall be allowed actual and necessary expenses incurred in the discharge of his duties.

The Division shall have a deputy commissioner, who shall receive such salary as may be set by the Standard Salary Board, or its successor, and who shall have all rights and privileges under the State Merit System Law and the State Employees' Retirement System. The deputy commissioner holding office on July 1, 1970, shall continue to hold office subject to the provisions of Article 64A of this Code.

At any time hereafter the office of deputy commissioner shall become vacant the State Commissioner of Personnel or his successor shall, as soon as practical, conduct a competitive examination in accordance with the State Merit System Law. The deputy commissioner, in the event of the absence, death, resignation, disability, or disqualification of the Commissioner, or in case [of] the office of the Commissioner shall for any cause become vacant, shall have and exercise all the powers and duties vested by law in the Commissioner.

The Commissioner is authorized and empowered to appoint or employ such deputies, inspectors, assistants and employees of every kind as may be necessary for the performance of the duties now or hereafter imposed upon him by this or any other law; provided, however, that such appointments and employments shall in each and every case be subject to the approval of the Governor and the Secretary of Licensing and Regulation and the compensation to be allowed therefor, be subject to the approval of the Standard Salary Board or its successor.

## 12.

An employer and any individuals or labor organizations representing a substantial number of employees involved may petition the Commissioner of the Department of Labor and Industry, in such form as prescribed by the Commissioner, for permission to enter into a consent election agreement leading to a determination by the Commissioner or his duly authorized representative of the facts ascertained after such consent election. Where a petition has been duly filed, the [Commission] Commissioner shall cause notice of such petition to be posted at the place of employment for a period of time sufficient for all interested parties to be made aware of the nature and purpose of the petition. The notice of each such petition caused to be posted by the Commissioner shall state that any organization may file an objection or exception to the petition with the Commissioner within a time period prescribed by the Commissioner, such time period to be not less than one week from the date of the posting of such notice. If no objections or exceptions to the petition are received by the Commissioner within the time period prescribed by the Commissioner, he shall grant approval to the petitioner to enter into a consent election agreement. Such agreement shall include a description of the appropriate unit, the time and place of holding the election, and the payroll to be used in determining such employees within the appropriate unit shall be eligible to vote. Such consent election shall be conducted under the direction and supervision of the Commissioner or his duly authorized representatives, and the rulings and determinations by the Commissioner or his duly