

The references to a "principal department or other independent unit" are substituted for the former references to "department[s]" for clarity and consistency. Cf. COMAR 06.01.01.40, which refers to transfers between "State department[s]".

Defined terms: "Appointing authority" § 1-101
"Classified service" § 1-101

4-603. PROMOTIONAL TRANSFERS.

(A) IN GENERAL.

IF A CLASSIFIED SERVICE EMPLOYEE IS TRANSFERRED TO A DIFFERENT CLASS THAT HAS A HIGHER MAXIMUM RATE OF PAY, THE TRANSFER IS A PROMOTION.

(B) APPLICABLE PROCEDURES.

A TRANSFER THAT IS A PROMOTION IS CONSIDERED A NEW APPOINTMENT AND MAY BE MADE ONLY IN ACCORDANCE WITH SUBTITLES 2 AND 3 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 64A, § 31.

Defined terms: "Class" § 1-101
"Classified service" § 1-101

4-604. INVOLUNTARY DEMOTIONAL TRANSFERS.

(A) IN GENERAL.

IF A CLASSIFIED SERVICE EMPLOYEE IS TRANSFERRED INVOLUNTARILY TO A DIFFERENT CLASS THAT HAS A LOWER MAXIMUM RATE OF PAY, THE TRANSFER IS A DEMOTION.

(B) APPLICABLE PROCEDURES.

(1) A TRANSFER THAT IS A DEMOTION UNDER THIS SECTION MAY BE MADE ONLY FOR CAUSE, ON WRITTEN CHARGES SUBMITTED TO THE SECRETARY.

(2) THE EMPLOYEE MAY APPEAL THE PROPOSED DEMOTION TO THE SECRETARY WITHIN THE TIME AND IN THE MANNER REQUIRED BY REGULATION.

(3) IF THE EMPLOYEE FAILS TO APPEAL WITHIN THE TIME AND IN THE MANNER REQUIRED, THE DEMOTION IS FINAL.

(C) HEARING.

(1) IF THE EMPLOYEE APPEALS THE DEMOTION, THE SECRETARY SHALL HOLD A HEARING TO DETERMINE WHETHER THERE IS CAUSE FOR THE DEMOTION.

(2) THE HEARING SHALL BE HELD WITHIN 90 DAYS AFTER THE WRITTEN CHARGES FOR THE DEMOTION ARE SUBMITTED TO THE SECRETARY.

(D) FINDINGS AND DECISION.