

(2) The person has been suspended for disciplinary purposes, pursuant to the provisions of Section 36 of this article, during the period of one year from the time of suspension; or

(3) The appointing authority for the position involved has recommended that the person not receive the automatic increase in any year because of his unusual or excessive rate of absenteeism, inefficiency, or other substantial reason affecting adversely his value as an employee. An appointing authority who exercised the power conferred by this paragraph for a second time as to the same person shall immediately thereafter file charges for his permanent removal from the classified service, acting generally pursuant to the provisions of Section 33 of this article, with further proceedings to be had thereunder.

(c) Any person who is denied an increase in salary under the provisions of paragraph (2) of subsection (b) hereinabove shall have a right of appeal to the **[Commissioner]** *Secretary* who shall have the power to determine whether the suspension and resulting denial of an increase were justified and the further power to change or modify the suspension and the denial of an increase according to such determination.

31.

The **[Commissioner]** *Secretary of Personnel* shall by rule prescribe standards of performance for any positions or classes of positions and may prescribe the form and scope of the records that the appointing authorities shall keep of the actual performance, output and conduct of employees as a basis for the determination of the efficiency of such employees.

The **[Commissioner]** *Secretary* shall by rule provide for the transfer from a position provided, however, that no employee shall be transferred from a position in one department to a position in another department without the consent of the respective appointing authorities, and provided further that no employee shall be transferred from a position in one class to a position in a different class whether in the same or in a different department, except under the provisions of this section.

The transfer of an employee from a position in a given class to a position in a different class for which a higher maximum rate of compensation is prescribed shall be considered a promotion, and, in effect, a new appointment and may be made only under the provisions governing appointments herein.

The transfer of an employee against his consent from a position in a given class to a position in a different class for which a lower maximum rate of compensation is prescribed shall be considered a demotion and may be made only under the provisions governing removal and demotion herein.

32.

The **[State Commissioner]** *Secretary of Personnel* is hereby authorized and directed to present appropriate emblems and written certificates to State employees, including but not limited to those teachers and other instructional employees who are employed by or in institutions of the State departments of correction, welfare, health