

The Secretary of Personnel shall by rule prescribe what shall constitute resignation.

The appointing authority may at any time before the expiration of the probation period reject any person appointed to a position in his department upon statement in writing to the Secretary of Personnel of the cause for rejection; the probation period shall be for a period not exceeding 90 days, except for positions higher than the pay scale numbered 7 on January 1, 1967, in which positions the probation period shall be for a period not exceeding six months, unless the appointing authority shall suggest and the Secretary shall approve a longer period, which shall in no event under any circumstances, including changes of job classifications, exceed six months, except for positions higher than the pay scale numbered 12 on January 1, 1967, in which positions the period of probation shall not exceed one year, provided that no appointing authority shall have power to remove a probationer who has been appointed by promotion from another class without the consent of the Secretary. The employee so rejected shall be considered permanently separated from such position, but the Secretary may keep the name of the person thus rejected on the eligible list from which he was appointed for future certification to another position in the class to which the list applies.

No employee who has completed his probation may be permanently removed from the classified service except for cause, upon written charges and after an opportunity to be heard in his own defense. Such charges may be filed by the appointing authority or by any citizen, provided, however, that no such charges may be filed by a citizen, without the consent of the appointing authority or of the Secretary, and such charge shall within ninety days after filing, be heard, investigated and determined by the Secretary or by some person or board appointed by the Secretary to hear, investigate and determine the same. ~~THE FINDING AND DECISION OF THE SECRETARY SHALL BE RENDERED WITHIN 45 DAYS AFTER THE CHARGE IS HEARD THE SECRETARY OF PERSONNEL SHALL RENDER HIS DECISION WITHIN 45 DAYS AFTER A HEARING IS HELD BEFORE HIM OR HIS AUTHORIZED REPRESENTATIVE OR WITHIN 45 DAYS AFTER ALL LEGAL MEMORANDA OR BRIEFS HAVE BEEN FILED.~~

The finding and decision of the Secretary or of such person or board when approved by the Secretary shall be final, and shall be certified to the appointing authority and shall be forthwith enforced by such authority.

The Secretary shall, by rule, prescribe what may constitute cause for removal, but no removal shall be allowed because of the religious or political opinions or affiliations of any employee. The provisions of this section shall apply to the demotion of an employee as described in § 31 of this article.