

Article 64A - Merit System
 Section 35
 Annotated Code of Maryland
 (1979 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article 64A - Merit System

35.

~~{A}- {1}- [An employee in] WHEN a position [that] is to be abolished, discontinued, or vacated, because of change in departmental organization, or through stoppage or lack of work, [shall be laid off and his name placed, in the order provided in the rules of the Secretary of Personnel, on the eligible list for the class of the position from which he was laid off] OR BECAUSE OF A MATERIAL CHANGE IN DUTIES RESULTING IN ABOLITION OF THE EXISTING POSITION AND CREATION OF A NEW POSITION UNDER § 16 OF THIS ARTICLE, THE APPOINTING AUTHORITY SHALL:~~

~~{i}- NOTIFY THE SECRETARY OF PERSONNEL IN WRITING OF THE NUMBER OF POSITIONS ABOLISHED, DISCONTINUED, OR VACATED, TOGETHER WITH REASONS FOR THE ACTION, AND~~

~~{ii}- PROVIDE THE SECRETARY WITH A LIST OF NAMES OF EMPLOYEES TO BE LAID OFF.~~

~~{2}- THE SECRETARY SHALL CERTIFY THAT THE LIST OF EMPLOYEES TO BE LAID OFF IS PRODUCED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION {B} {C} OF THIS SECTION.~~

(A) [An employee in a position that is] EMPLOYEES WHO ARE IN POSITIONS THAT ARE to be abolished, discontinued, or vacated, because of change in departmental organization, or through stoppage or lack of work, shall be laid off [and his name placed, in the order provided in the rules of the Secretary of Personnel, on the eligible list for the class of the position from which he was laid off].

~~{B}- THE ORDER OF LAYOFF OF STATE EMPLOYEES SHALL BE BASED ON THE FOLLOWING:~~

~~{i}- {i}- EMPLOYEES SHALL BE PLACED IN A POSITION OF EQUAL CLASSIFICATION IN ANY DEPARTMENT OR AGENCY WHERE A VACANCY EXISTS.~~

~~{ii}- IF NO VACANCY OF EQUAL CLASSIFICATION EXISTS, THE EMPLOYEE SHALL BE GIVEN AN OPPORTUNITY TO ACCEPT A VOLUNTARY DEMOTION TO THE NEXT LOWER CLASSIFICATION FOR WHICH THE EMPLOYEE IS QUALIFIED.~~