

2-1207.

(f) (1) (i) For 1 year after an individual is appointed to the professional staff of the Department AND, IF THE DIRECTOR EXTENDS THE PERIOD, FOR 1 ADDITIONAL 6-MONTH PERIOD, the individual is in a probationary status and may be dismissed by the Director.

(ii) After the [1-year] PROBATIONARY period, the individual serves without a fixed term and may be removed as provided in this section.

(2) For a period of not more than 1 year after an individual is promoted to or within the professional staff, the individual is in a probationary status and may be returned to the position from which promoted, if the Director finds that the performance of the individual in the new position is unsatisfactory.

(g) (1) Subject to the hearing provisions of this subsection, [with the approval of the President and the Speaker,] the Director may remove any professional employee of the Department for inefficiency, neglect of duty, misconduct in office, or other cause.

(2) Before the Director removes an individual under this subsection, the Director shall:

(i) file written charges with the President and the Speaker; and

(ii) give the individual a copy of the charges and an opportunity for a public hearing BEFORE THE DIRECTOR.

(3) Notice of the hearing shall be given to the individual at least 10 days before the hearing.

(4) The individual may be represented at the hearing by counsel.

(5) UNLESS THE APPROVAL OF THE PRESIDENT AND THE SPEAKER IS REQUIRED FOR REMOVAL, THE INDIVIDUAL IS ENTITLED TO APPEAL TO THE PRESIDENT AND THE SPEAKER. THE PRESIDENT AND SPEAKER JOINTLY MAY DESIGNATE A HEARING OFFICER TO CONSIDER THE APPEAL AND TO SUBMIT A RECOMMENDATION FOR THEIR CONSIDERATION.

2-1213.

(b) (1) For 1 year after appointment AND, IF THE DIRECTOR EXTENDS THE PROBATIONARY PERIOD, FOR 1 ADDITIONAL 6-MONTH PERIOD, the Legislative Auditor is in a probationary status and may be dismissed by the Director with the approval of the President and the Speaker.