

13-1A-05.

(E) (1) IF AN EMPLOYEE IS SUSPENDED WITHOUT PAY PENDING A HEARING ON DISPOSITION OF CHARGES FOR REMOVAL, THE CHANCELLOR OR THE CHANCELLOR'S DESIGNATED REPRESENTATIVE SHALL NOTIFY THE EMPLOYEE IN WRITING OF THE REASONS FOR THE SUSPENSION AT THE TIME OF THE NOTICE OF THE SUSPENSION.

(2) WITHIN 5 WORKING DAYS OF THE NOTICE OF SUSPENSION, THE EMPLOYEE MAY REQUEST IN WRITING THAT THE CHANCELLOR OR THE CHANCELLOR'S DESIGNATED REPRESENTATIVE, IN ADDITION TO CONDUCTING A HEARING ON THE MERITS, CONDUCT A PRELIMINARY HEARING TO DETERMINE WHETHER OR NOT THE EMPLOYEE MAY CONTINUE TO WORK WITH PAY PENDING THE DISPOSITION OF THE CHARGES.

(3) THE CHANCELLOR OR THE CHANCELLOR'S DESIGNATED REPRESENTATIVE SHALL CONDUCT A PRELIMINARY HEARING WITHIN 5 WORKING DAYS AFTER THE CHANCELLOR OR THE CHANCELLOR'S DESIGNATED REPRESENTATIVE RECEIVES IN WRITING THE REQUEST FROM THE SUSPENDED EMPLOYEE FOR THE PRELIMINARY HEARING.

(4) THE PRELIMINARY HEARING SHALL BE LIMITED TO THE ISSUES OF:

(I) WHETHER SUSPENSION WITHOUT PAY IS NECESSARY TO PROTECT THE INTERESTS OF THE UNIVERSITY OF MARYLAND OR THE EMPLOYEE PENDING FINAL DISPOSITION OF THE CHARGES; AND

(II) WHETHER OTHER EMPLOYMENT AND STATUS ALTERNATIVES SHOULD BE CONSIDERED.

(5) AT THE PRELIMINARY HEARING, THE EMPLOYEE MAY:

(I) REBUT THE REASONS GIVEN FOR THE SUSPENSION;

(II) ALLEGE MITIGATING CIRCUMSTANCES; AND

(III) OFFER ALTERNATIVES TO THE SUSPENSION,

INCLUDING:

1. RETURN TO THE POSITION WITH PAY;

2. TRANSFER TO ANOTHER POSITION WITH PAY;

OR

3. SUSPENSION WITH PAY.

(6) WITHIN 5 DAYS AFTER THE PRELIMINARY HEARING IS COMPLETED, THE CHANCELLOR OR THE CHANCELLOR'S DESIGNATED REPRESENTATIVE SHALL RENDER A WRITTEN DECISION THAT IS CONCLUSIVE AS TO THE ISSUE OF SUSPENSION-ONLY WHETHER OR NOT THE EMPLOYEE MAY CONTINUE TO WORK WITH PAY PENDING THE DISPOSITION OF THE CHARGES.