

(11) -- SUBMIT A WRITTEN REPORT OF THE BOARD'S DETERMINATION TO THE SECRETARY.

(3) -- ON THE EMPLOYEE'S OR APPLICANT'S OWN INITIATIVE OR AT THE REQUEST OF THE BOARD, THE EMPLOYEE OR APPLICANT MAY SUBMIT INFORMATION OR PRESENT TESTIMONY TO THE BOARD.

(4) -- IF THE BOARD DETERMINES THAT THE EMPLOYEE OR APPLICANT IS ABLE TO PERFORM THE ESSENTIAL DUTIES AND FUNCTIONS OF THE POSITION WHEN PROVIDED WITH REASONABLE ACCOMMODATION, THE SECRETARY MAY NOT DISQUALIFY THE EMPLOYEE OR APPLICANT.

(F) (1) -- THE SECRETARY MAY APPOINT AN EMERGENCY EMPLOYEE, UNDER § 24(B) OF THIS ARTICLE, TO ANY VACANCY CREATED BY THE OPERATION OF THIS SECTION.

(2) -- THE SECRETARY SHALL:

(i) -- ADOPT RULES AND REGULATIONS CONSISTENT WITH THIS SECTION;

(ii) -- REPEAL RULES AND REGULATIONS THAT CONFLICT WITH THIS SECTION; AND

(iii) -- CONSULT WITH THE GOVERNOR'S OFFICE FOR HANDICAPPED INDIVIDUALS IN DEVELOPING RULES AND REGULATIONS GOVERNING THIS SECTION.

(A) BEFORE A PERSON MAY BE DENIED A POSITION IN STATE EMPLOYMENT FOR MEDICAL REASONS, THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL DOCUMENT IN WRITING:

(1) THAT REASONABLE ACCOMMODATIONS WERE CONSIDERED;

(2) THE SPECIFIC ACCOMMODATIONS THE ACCOMMODATIONS THAT WERE CONSIDERED; AND

(3) THE REASONS THE ACCOMMODATIONS WERE DETERMINED TO BE UNREASONABLE FOR REFUSING THE ACCOMMODATIONS.

(B) IN DECIDING WHETHER AN ACCOMMODATION IS REASONABLE, THE SECRETARY OR A DESIGNEE OF THE SECRETARY SHALL USE AS A REFERENCE THE RELEVANT PROVISIONS OF ANY GUIDELINES ON HANDICAP DISCRIMINATION ADOPTED BY THE MARYLAND COMMISSION ON HUMAN RELATIONS STATE LAW AND REGULATIONS.

(3) (C) Nothing herein contained, however, shall prevent the Secretary from adopting reasonable minimum and/or maximum age requirements for positions such as policemen, firemen, prison guard, or other positions which require extraordinary physical effort, except where age limits for such positions are already prescribed by law.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.