

policies, practices and procedures have an adverse impact on protected groups and to implement systems and develop programs specifically designed to identify and eliminate discriminatory actions, policies, practices and procedures where found;

NOW, THEREFORE, I, HARRY HUGHES, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, DO HEREBY PROMULGATE THE FOLLOWING AMENDMENTS TO THE CODE OF FAIR PRACTICES TO BECOME EFFECTIVE IMMEDIATELY.

ARTICLE I - EQUAL OPPORTUNITY PROGRAM IN STATE EMPLOYMENT

- (a) State officials and supervisory employees shall appoint, assign, and promote State personnel, EMPLOYED IN THE EXECUTIVE BRANCH, on the basis of merit and fitness. Appointments, assignments, and promotions shall be made without regard to (1) political or religious opinion or affiliation, marital status, race, color, creed, or national origin, [or] (2) sex[, physical or mental handicap,] or age, except when sex[, handicap,] or age [involves] CONSTITUTES a bona fide [job requirements] OCCUPATIONAL QUALIFICATION, OR (3) THE PHYSICAL OR MENTAL HANDICAP OF A QUALIFIED HANDICAPPED INDIVIDUAL. State personnel shall not be dismissed or in any way penalized on account of political or religious opinion or affiliation, race, color, sex, marital status, creed, or national origin. State personnel shall not be dismissed or in any way penalized on account of age, except pursuant to a bona fide uniform retirement policy[, or on account of physical or mental handicap unless the handicap is found to be a material and substantial impediment to the performance of the job, in accordance with established merit system and grievance procedures]. QUALIFIED HANDICAPPED STATE PERSONNEL SHALL NOT BE DISMISSED OR IN ANY WAY PENALIZED ON ACCOUNT OF THAT HANDICAP.
- (b) The Secretary of Personnel is responsible for the overall administration of the Equal Employment Opportunity Program for State Merit System employees and applicants for State Merit System employment. With the advice of the Executive Director and THE Chairman of the Human Relations Commission, [he] THE SECRETARY shall develop, promulgate, and enforce rules, regulations, and guidelines for the implementation of the Equal Employment Opportunity Program. These rules, regulations, and guidelines shall comply with applicable federal and State law governing equal employment opportunity, this Executive Order, and the State Merit System Law.