

(iii) Service in the job classification and its job series, as defined by the Secretary, where the layoff is to occur.

(2) A provision that an employee being laid off may displace another employee with the least seniority in the same job classification or its job series, or any other job classification in which the employee being laid off previously held satisfactory permanent status. This provision shall be limited first to the appointing authority and subsequently to the employee's department, or by geographical area as defined by the Secretary of Personnel, or both.

(3) A provision that if 2 or more employees in the same classification have the same seniority points, the order of layoff shall be based on:

(i) Total length of employment in State service, with the employee with the shortest service being laid off first; or

(ii) If these employees have the same total length of service, the appointing authority shall determine which employee to retain by a written evaluation of the skills, knowledge, or abilities of each employee. The appointing authority shall submit this evaluation to the Secretary of Personnel.

(4) An order of reinstatement for [laid off] LAID-OFF employees determined by seniority points, including provisions that:

(i) An employee with the highest number of seniority points shall be reinstated first to the classification in which the layoff occurred or any lower classification in the same job series within the department where the layoff occurred; and

(ii) Reinstatement into any other comparable job classification to which the Secretary has certified the [laid off] LAID-OFF employees shall be made from the top 5 senior employees laid off.

DRAFTER'S NOTE: This corrects a stylistic error in an internal reference and misspellings in Article 64A, § 35(b) and (c).

The stylistic error in subsection (c) and the misspellings of the adjective "laid-off" in subsection (b) occurred in Chs. 625 and 916 of the Acts of 1982. The misspellings of the adjective "laid-off" in subsection (c) occurred in Ch. 521 of the Acts of 1984.