

Section 51A
Annotated Code of Maryland
(1988 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 64A - Merit System

[51A.

(a) An employee who is transferred to the State merit system according to this section, unless otherwise specified in the enabling legislation transferring such employee to the State merit system, shall be appointed without further examination or qualification. The employee shall be placed in the State classification that is comparable in duties and responsibilities to the employee's former position.

(b) The employee may not suffer a diminution of salary or wages, accrued leave, whether earned or granted, or seniority rights. Any increase in salary or wages granted subsequent to passage of the legislation enabling the transfer, may be retained on appointment to the classified service only if the Secretary approves. The Secretary shall consider the monetary value of any and all other benefits, entitlements, services or prerogatives and, at his discretion and in consideration of the best interests of the classified service, may consider these values or a portion of them when establishing the rate of salary on appointment. After appointment, the employee is entitled to the same benefits provided to classified employees established by this article.]

51A.

(A) (1) WHEN THE STATE OR ANY DEPARTMENT OR AGENCY OF THE STATE ACQUIRES A PRIVATE INSTITUTION OR ENTERPRISE OR ANOTHER PUBLIC AGENCY OR ENTITY, FOR THE PURPOSE OF OPERATING IT AS A PUBLIC FUNCTION, THE STATE MAY CONTINUE THE EMPLOYMENT OF ALL OFFICERS OR EMPLOYEES THEREOF DEEMED NECESSARY WHO SHALL HAVE BEEN IN THE EMPLOY OF THE PRIVATE INSTITUTION OR ENTERPRISE OR ANOTHER PUBLIC AGENCY OR ENTITY BEFORE THE ACQUISITION.

(2) THE POSITIONS HELD BY THESE EMPLOYEES SHALL BE IN THE UNCLASSIFIED SERVICE, PENDING THE CLASSIFICATION OR RECLASSIFICATION OF THE POSITIONS AS HEREINAFTER DIRECTED, AND THE EMPLOYEES SHALL CONTINUE TO BE EMPLOYED IN SIMILAR OR CORRESPONDING POSITIONS AND SHALL RETAIN THEIR SENIORITY.

(3) EMPLOYEES IN THESE POSITIONS SHALL BE REQUIRED TO SERVE THE REQUISITE PROBATION PERIOD.