

In subsection (a) of this section, the phrase "in violation of § 3-405 of this subtitle" is substituted for the former listing of the factors that contravene the State's policy against discrimination to avoid needless repetition.

In subsections (b) and (c) of this section, the references to a "principal department or other independent unit" are substituted for the former inconsistent references in former Art. 64A, § 12B to an "agency" and in former § 12E to a "department ... and each agency not included within a department", for clarity and consistency.

In subsection (b)(1) of this section, the requirement that an affirmative action plan "ensure" nondiscriminatory personnel practices is substituted for the former requirement that the plan "establish and promote" those practices, for brevity and to clarify the ongoing nature of the plan.

In subsection (c)(1) of this section, the term "fiscal" is added to modify "year" to clarify the period that the annual reports are to cover. This avoids the impossible situation of having to submit a report by January 1 on activities occurring through the preceding December 31. The State Personnel Article Review Committee calls this addition to the attention of the General Assembly.

Defined terms: "Coordinator" § 3-401

"Program" § 3-401

"Secretary" § 1-101

"Unit" § 3-401

#### SUBTITLE 5. ACTIONS BASED ON MEDICAL CONDITIONS.

##### 3-501. MEDICAL DISQUALIFICATIONS.

###### (A) SCOPE OF SECTION.

THIS SECTION APPLIES TO ALL APPLICANTS FOR EMPLOYMENT IN CLASSIFIED SERVICE AND UNCLASSIFIED SERVICE POSITIONS IN THE STATE PERSONNEL MANAGEMENT SYSTEM.

###### (B) EFFECT OF SECTION.

THIS SECTION DOES NOT AFFECT THE POWER OF THE SECRETARY UNDER § 4-203 OF THIS ARTICLE TO ESTABLISH REASONABLE MINIMUM OR MAXIMUM AGE REQUIREMENTS, IF NOT OTHERWISE SET BY LAW, FOR EMPLOYMENT:

- (1) AS A FIRE FIGHTER;
- (2) AS A POLICE OFFICER;
- (3) AS A CORRECTIONAL OFFICER; OR
- (4) IN ANY OTHER POSITION THAT REQUIRES EXTRAORDINARY PHYSICAL EFFORT.

###### (C) IN GENERAL.