

AN EMPLOYEE MAY NOT BE DENIED THE OPPORTUNITY TO SEEK, QUALIFY FOR, OR RECEIVE ANY PROMOTION SOLELY BECAUSE THE EMPLOYEE IS ON LEAVE FOR MATERNITY REASONS OR ON SICK LEAVE, IF THE EMPLOYEE IS EXPECTED TO RETURN TO WORK WITHIN 60 DAYS AFTER RECEIVING A REQUEST TO CALL FOR AN INTERVIEW FOR THE POSITION.

REVISOR'S NOTE: Subsection (a) of this section is added for clarity to reflect the scope of the former reference to a "State employee". See 77 Op. Att'y Gen. _____(1992) [Opinion No. 92-016 (May 20, 1992)].

Subsection (b) of this section is new language added to reflect that, as a general matter, the Secretary's authority extends only to provisions that are derived from former Art. 64A and not to provisions, such as those in this section, that are derived from other parts of the Code.

Subsection (c) of this section is new language derived without substantive change from former Art. 89, § 29.

In subsection (c) of this section, the reference to leave "for maternity reasons" is substituted for the former term "maternity leave" for clarity. A variety of leaves may be used by employees for maternity purposes, but there is no leave specifically designated by statute as "maternity leave".

Defined terms: "Contractual employee" § 1-101

"Position" § 1-101

"Secretary" § 1-101

"State Personnel Management System" § 1-101

TITLE 4. EMPLOYMENT IN THE CLASSIFIED SERVICE.

SUBTITLE 1. GENERAL PROVISIONS.

4-101. SCOPE OF TITLE.

THIS TITLE APPLIES TO:

(1) ALL EMPLOYEES WHO, UNDER TITLE 1, SUBTITLE 3 OF THIS ARTICLE, ARE IN THE CLASSIFIED SERVICE; AND

(2) ALL APPLICANTS FOR EMPLOYMENT IN THE CLASSIFIED SERVICE.

REVISOR'S NOTE: This section is new language added for clarity.

Defined term: "Classified service" § 1-101

4-102. PURPOSE OF CLASSIFIED SERVICE.

THE PURPOSE OF THE CLASSIFIED SERVICE IS TO PROVIDE A SYSTEM OF EMPLOYMENT THAT OPERATES TO ATTRACT THE BEST APPLICANTS BY:

(1) USING PRACTICAL TESTS TO DETERMINE THE FITNESS OF AN APPLICANT, REGARDLESS OF AN APPLICANT'S POLITICAL OR RELIGIOUS OPINIONS OR AFFILIATIONS OR OF ANY STANDARD OTHER THAN BUSINESS EFFICIENCY;