

Defined terms: "Appointing authority" § 1-101

"Class" § 1-101

"Position" § 1-101

"Secretary" § 1-101

4-204. REFUSALS TO EXAMINE.

(A) IN GENERAL.

SUBJECT TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY DISQUALIFY AND REFUSE TO EXAMINE AN APPLICANT IF THE APPLICANT:

(1) DOES NOT MEET THE REQUIREMENTS FOR TAKING THE EXAMINATION OR FOR APPOINTMENT TO THE POSITION;

(2) HAS A MENTAL OR PHYSICAL DISABILITY THAT PRECLUDES PERFORMANCE OF THE DUTIES OF THE POSITION;

(3) INTENTIONALLY FALSIFIED INFORMATION IN THE APPLICATION; OR

(4) HAS BEEN DECEPTIVE OR FRAUDULENT IN ANY PHASE OF THE EXAMINATION OR APPOINTMENT PROCESS.

(B) NOTICE AND OPPORTUNITY FOR RESPONSE.

THE SECRETARY MAY NOT DISQUALIFY AN APPLICANT UNDER THIS SECTION UNLESS THE SECRETARY OR THE DESIGNEE OF THE SECRETARY:

(1) GIVES THE APPLICANT WRITTEN NOTICE OF THE REASON FOR THE PROPOSED DISQUALIFICATION;

(2) ALLOWS THE APPLICANT AN OPPORTUNITY TO SUBMIT A WRITTEN RESPONSE; AND

(3) ALLOWS THE APPLICANT AN OPPORTUNITY TO MEET WITH THE SECRETARY OR THE SECRETARY'S DESIGNEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, §§ 22(a)(4) and 22(a)(5)(i), as they related to refusals to examine applicants.

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that the grounds stated in subsection (a) of this section differ from the grounds listed in other similar sections in this title. See §§ 4-210, 4-303, and 4-307 of this title and their respective Revisor's Notes.

As to disqualifications for medical reasons, see also § 3-501 of this article.

Defined terms: "Position" § 1-101

"Secretary" § 1-101