

In subsection (a) of this section, the introductory clause, "[e]xcept as otherwise provided in this Division I", is added to reflect existing exceptions. See, e.g., §§ 4-302(c), 4-306, 12-101, and 12-202 of this article, which provide for appointments to a class unique to one unit and for temporary and emergency appointments.

In subsection (b)(2)(iii) of this section, the reference to "§ 3-405 of this article" is substituted for the somewhat different list of factors in former Art. 64A, § 17(d)(2), for consistency.

Defined terms: "Appointing authority" § 1-101

"Classified service" § 1-101

"Position" § 1-101

"Secretary" § 1-101

4-302. CERTIFICATION.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IF A REQUEST IS MADE UNDER § 4-301 OF THIS SUBTITLE, THE SECRETARY SHALL CERTIFY TO THE APPOINTING AUTHORITY:

(1) THE FIVE CANDIDATES WITH THE HIGHEST STANDING ON THE LIST OF ELIGIBLE CANDIDATES FOR THE CLASS IN WHICH THE POSITION IS INCLUDED; OR

(2) IF THE LIST OF ELIGIBLE CANDIDATES CONTAINS FEWER THAN FIVE CANDIDATES, ALL OF THE CANDIDATES ON THE LIST.

(B) SELECTIVE CERTIFICATION.

IF THE SECRETARY HAS APPROVED A REQUEST FOR SELECTIVE CERTIFICATION, THE NAMES CERTIFIED UNDER SUBSECTION (A) OF THIS SECTION MAY BE LIMITED TO CANDIDATES WHO:

(1) MEET THE JOB-RELATED QUALIFICATIONS SPECIFIED IN THE REQUEST; OR

(2) HAVE INDICATED AVAILABILITY FOR THE GEOGRAPHIC AREA SPECIFIED IN THE REQUEST.

(C) WHEN UNIQUE CLASS EXISTS.

IF A CLASS IS UNIQUE TO ONE UNIT, THE SECRETARY MAY ALLOW THE UNIT TO RECRUIT, EXAMINE, AND CERTIFY A LIST OF ELIGIBLE CANDIDATES TO BE CONSIDERED FOR APPOINTMENT TO POSITIONS IN THE UNIQUE CLASS.

(D) SPECIAL LIST OF ELIGIBLES.