

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 certify applicants.

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that the grounds listed under subsection (a) of this section differ from the grounds listed for other similar sections in this title. See §§ 4-204, 4-210, 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

4-304. APPOINTMENTS — IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS DIVISION I, AN APPOINTING AUTHORITY MAY FILL A POSITION IN THE CLASSIFIED SERVICE ONLY BY APPOINTING A CANDIDATE CERTIFIED UNDER § 4-302 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 1(2) and the second clause of the second sentence of § 17(a).

In this section, the introductory clause, "[e]xcept as otherwise provided in this Division I", is added to reflect existing exceptions. See §§ 4-306, 12-101, and 12-202 of this article, which provide for temporary and emergency appointments.

Defined terms: "Appointing authority" § 1-101

"Classified service" § 1-101

"Position" § 1-101

4-305. SAME — PREFERENCES.

(A) PROMOTION.