

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 51A(a)(1).

The former reference to an acquisition by "any department or agency of the State" is deleted as encompassed in the broad reference to an acquisition by "this State".

The former reference to an acquisition of an "institution or enterprise or another ... agency" is deleted as included in the general reference to an acquisition of any "entity".

The former reference to continuing the employment of individuals as "deemed necessary" is deleted as unnecessary in light of the discretion inherent in the phrase "may retain".

#### 4-702. STATUS OF EMPLOYEES.

##### (A) IN GENERAL.

AN EMPLOYEE WHO IS RETAINED UNDER § 4-701 OF THIS SUBTITLE:

(1) SHALL BE EMPLOYED IN A POSITION THAT CORRESPONDS OR IS SIMILAR TO THE POSITION HELD AT THE TIME OF THE ACQUISITION; AND

(2) KEEPS SENIORITY.

##### (B) STATUS PENDING CLASSIFICATION.

A POSITION HELD BY A RETAINED EMPLOYEE IS IN THE UNCLASSIFIED SERVICE PENDING CLASSIFICATION OF THAT POSITION AS REQUIRED BY § 4-703 OF THIS SUBTITLE.

##### (C) PROBATION.

EACH RETAINED EMPLOYEE SHALL BE ON PROBATION FOR THE PERIOD REQUIRED BY SUBTITLE 4 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 51A(a)(2) and (3).

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that this section is revised in accordance with the chronology in the former law. However, as to subsection (c) of this section, it is not clear whether the required probation is to begin at the time of acquisition or only later, after classification of the position.

Defined terms: "Position" § 1-101

"Probation" § 1-101

"Unclassified service" § 1-101

#### 4-703. CLASSIFICATION BY DEPARTMENT.

WITHIN 1 YEAR AFTER AN ACQUISITION, THE DEPARTMENT SHALL CLASSIFY EACH POSITION IN THE ACQUIRED ENTITY.