

Defined term: "Part-time" § 5-101

5-104. PART-TIME EMPLOYMENT POLICY.

(A) IN GENERAL.

IT IS THE POLICY OF THIS STATE THAT, EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AT LEAST 5% OF THE POSITIONS IN ALL UNITS SUBJECT TO THIS TITLE, AT EACH PAY GRADE IN THOSE UNITS, SHALL BE AVAILABLE FOR EMPLOYMENT ON A PART-TIME BASIS TO INDIVIDUALS WHO CANNOT OR CHOOSE NOT TO WORK FULL TIME.

(B) EXCEPTIONS.

(1) THE SECRETARY MAY WAIVE THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION TO THE EXTENT THAT THE SECRETARY DETERMINES THAT THOSE PROVISIONS CONFLICT WITH THE EFFICIENT PERFORMANCE OF THE STATE'S PERSONNEL FORCE.

(2) ON REQUEST OF A UNIT, THE SECRETARY MAY REDUCE THE PERCENTAGE OF PART-TIME POSITIONS FOR THAT UNIT IF:

(I) THE UNIT IS UNDERGOING A SUBSTANTIAL REDUCTION IN FORCE; OR

(II) THE SECRETARY FINDS THAT COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION WOULD:

1. MATERIALLY IMPAIR THE ABILITY OF THE UNIT TO PERFORM ITS RESPONSIBILITIES; OR

2. SEVERELY IMPAIR THE UNIT'S EFFICIENCY.

(C) MAXIMUM CLASSIFIED SERVICE POSITIONS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE AGGREGATE NUMBER OF PART-TIME CLASSIFIED SERVICE POSITIONS IN ALL UNITS SUBJECT TO THIS TITLE MAY NOT EXCEED 5% OF THE AGGREGATE NUMBER OF ALL CLASSIFIED SERVICE POSITIONS IN THOSE UNITS.

(2) THE MAXIMUM IMPOSED BY PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO SOIL CONSERVATION DISTRICT EMPLOYEES WHO ARE EMPLOYED IN PART-TIME CLASSIFIED SERVICE POSITIONS UNDER § 8-203(E) OF THE AGRICULTURE ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, §§ 50 and 51(b).

Subsection (a) of this section is revised to affirmatively require the availability of "at least 5%" of positions for part-time employment - reflecting the requirements in former Art. 64A, § 51(b)(1) for a 1% minimum, beginning on July 1, 1976, with increases of 1% a year to a 5% limit on that minimum requirement.