

Defined terms: "Classified service" § 1-101

"Part-time" § 5-101

"Position" § 1-101

"Secretary" § 1-101

5-105. EFFECT ON EMPLOYEES.

(A) PART-TIME WORK MAY NOT BE REQUIRED.

AN INDIVIDUAL WHO IS A FULL-TIME EMPLOYEE OR WHO IS QUALIFIED FOR OR DESIRES TO BE A FULL-TIME EMPLOYEE MAY NOT BE REQUIRED TO ACCEPT PART-TIME EMPLOYMENT AS A CONDITION OF CONTINUED OR NEW STATE EMPLOYMENT.

(B) APPOINTMENTS.

(1) AN APPOINTMENT TO A PART-TIME POSITION IN THE CLASSIFIED SERVICE IS SUBJECT TO TITLE 4 OF THIS ARTICLE.

(2) AN INDIVIDUAL WHO IS EMPLOYED ON A PART-TIME BASIS SHALL MEET THE STANDARDS AND REQUIREMENTS NORMALLY REQUIRED OF A FULL-TIME EMPLOYEE IN A SIMILAR POSITION WITH A SIMILAR GRADE AND LENGTH OF EMPLOYMENT.

(C) EMPLOYEE RIGHTS AND BENEFITS:

IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY, A PART-TIME EMPLOYEE IS ENTITLED TO RECEIVE ALL EMPLOYMENT RIGHTS, PRIVILEGES, AND BENEFITS THAT ARE NORMALLY AVAILABLE TO A FULL-TIME EMPLOYEE IN A SIMILAR POSITION WITH A SIMILAR GRADE AND LENGTH OF SERVICE, PRORATED IN PROPORTION TO THE NUMBER OF HOURS EMPLOYED.

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

In subsection (b) of this section, the former reference to employment "pursuant to the policy established by paragraph (b)(1) of this section" is deleted as unnecessary in light of § 5-104 of this subtitle.

In subsection (b)(1) of this section, the reference to "Title 4" is substituted for the former, narrower reference to "§ 18". Former Art. 64A, § 18 only concerned competitive examinations, preferences, promotions, and appointments to classified positions. This substitution clarifies that, unless expressly otherwise provided, all provisions in Title 4 apply to appointments of part-time classified service employees.

In subsection (c) of this section, the former, limited reference to "executive agencies" is deleted in light of the Secretary's authority under § 5-102(b) to extend this title to "any unit in the legislative or judicial branch".