

(B) USES FOR LEAVE.

PERSONAL LEAVE MAY BE USED FOR ANY PURPOSE.

REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of the first sentence of former Art. 64A, § 37(a)(5)(i) and, as it related to uses of personal leave, the second sentence of § 37(a)(5)(i).

In subsection (b) of this section, the former specific reference to the use of leave for "religious holidays" or "inclement weather" is deleted as unnecessary in light of the general reference to "any purpose".

7-403. LEAVE USE AFTER NOTICE.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN EMPLOYEE MAY USE PERSONAL LEAVE AFTER NOTICE TO THE EMPLOYEE'S IMMEDIATE SUPERVISOR.

(B) EXCEPTION.

(1) IF AN EMPLOYEE IS SCHEDULED TO WORK ON A HOLIDAY OR IS EMPLOYED IN A UNIT THAT PROVIDES A SERVICE CONTINUOUSLY ON A 7-DAY-A-WEEK BASIS, THE EMPLOYEE MAY USE PERSONAL LEAVE ONLY AFTER OBTAINING APPROVAL FROM THE EMPLOYEE'S APPOINTING AUTHORITY;

(2) IF THE REQUEST IS MADE TO OBSERVE A RELIGIOUS HOLIDAY, THE APPOINTING AUTHORITY MAY DENY THE REQUEST ONLY IF:

(I) THE EMPLOYEE'S UNIT PROVIDES A SERVICE CONTINUOUSLY ON A 7-DAY-A-WEEK BASIS;

(II) THE DENIAL IS NECESSARY BECAUSE OF A CRITICAL SHORTAGE OF STAFF IN THE UNIT; AND

(III) NO REASONABLE ACCOMMODATION TO THE EMPLOYEE'S REQUEST CAN BE MADE.

(3) IF THE REQUEST IS MADE FOR ANY OTHER REASON, THE APPOINTING AUTHORITY MAY DENY THE REQUEST ONLY IF THE DENIAL IS NECESSARY BECAUSE OF A CRITICAL SHORTAGE OF STAFF IN THE EMPLOYEE'S UNIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 37(a)(5)(ii) and, as it required notice before taking leave, the second sentence of § 37(a)(5)(i).

This section is revised to clarify that the requirement for "reasonable accommodation" applies only to requests to observe religious holidays. See Ch. 543, Acts of 1988.

Defined term: "Appointing authority" § 1-101