

IF A CLASSIFIED SERVICE EMPLOYEE IS ON PROBATION AS A RESULT OF A PROMOTION, THE EMPLOYEE MAY BE REJECTED ONLY WITH THE CONSENT OF THE SECRETARY.

(B) RIGHT OF APPEAL.

THE SECRETARY SHALL ADOPT REGULATIONS THAT PROVIDE FOR THE RIGHT OF APPEAL BY AN EMPLOYEE WHO IS REJECTED WHILE ON PROBATION AS A RESULT OF A PROMOTION.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the second clause of former Art. 64A, § 33(b)(1)(i).

Subsection (b) of this section is new language added to reflect the reference in former Art. 64A, § 36A(c)(2) - now § 2-302(4) of this article - to appeals by promotional probationary employees who are rejected under this subtitle.

As to the authority of the Secretary to delegate the authority to conduct appeal hearings under this section, see § 2-302(4) of this article.

As to procedures governing a decision made by individuals who have not heard the evidence, including the opportunity of parties to file exceptions, see SG § 10-212.

Defined terms: "Classified service" § 1-101

"Probation" § 1-101

"Secretary" § 1-101

9-104. EFFECT ON ELIGIBILITY.

IF AN INDIVIDUAL HAS BEEN REJECTED UNDER THIS SUBTITLE, THE SECRETARY MAY RETURN THE INDIVIDUAL'S NAME TO A LIST OF ELIGIBLE CANDIDATES FOR FUTURE CERTIFICATION TO ANOTHER POSITION IN THE SAME CLASS.

REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of former Art. 64A, § 33(b)(1)(ii).

Defined terms: "Class" § 1-101

"Position" § 1-101

"Secretary" § 1-101

SUBTITLE 2. REMOVALS FOR CAUSE AFTER PROBATION.

9-201. SCOPE OF SUBTITLE.

THIS SUBTITLE APPLIES ONLY TO CLASSIFIED SERVICE EMPLOYEES.

REVISOR'S NOTE: This section is new language added for clarity:

Defined term: "Classified service" § 1-101