

(2) WHETHER OTHER EMPLOYMENT AND STATUS ALTERNATIVES FOR THE EMPLOYEE SHOULD BE CONSIDERED.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 64A, § 33(e)(2) and the first sentence of § 33(e)(3).

Defined term: "Classified service" § 1-101

9-305. EMPLOYEE'S RIGHTS AT PRELIMINARY HEARING.

AT THE PRELIMINARY HEARING, THE CLASSIFIED SERVICE EMPLOYEE MAY:

- (1) REBUT THE REASONS GIVEN FOR THE SUSPENSION;
- (2) ASSERT MITIGATING CIRCUMSTANCES; AND
- (3) OFFER ALTERNATIVES TO THE SUSPENSION, INCLUDING:
 - (I) A RETURN TO THE EMPLOYEE'S POSITION WITH PAY;
 - (II) A TRANSFER TO ANOTHER POSITION WITH PAY; OR
 - (III) A SUSPENSION WITH PAY.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 64A, § 33(e)(3).

Defined terms: "Classified service" § 1-101
"Position" § 1-101

9-306. DECISION.

(A) REQUIRED IN WRITING.

WITHIN 5 WORKDAYS AFTER THE PRELIMINARY HEARING, THE SECRETARY SHALL ISSUE A DECISION IN WRITING.

(B) CONCLUSIVE AS TO SUSPENSION.

THE DECISION IS CONCLUSIVE ONLY AS TO THE ISSUE OF THE SUSPENSION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 33(e)(6).

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 term: "Secretary" § 1-101