A SUSPENDED CLASSIFIED SERVICE EMPLOYEE OR A REPRESENTATIVE OF THE EMPLOYEE MAY SUBMIT A WRITTEN APPEAL OF A DISCIPLINARY SUSPENSION:

(1)    WITHIN 3 WORKDAYS AFTER RECEIPT OF A NOTICE OF SUSPENSION, TO THE HEAD OF THE EMPLOYEE'S PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT; OR

(2)   (I)    EXCEPT FOR AN EMPLOYEE OF THE DEPARTMENT OF PERSONNEL, WITHIN 5 WORKDAYS AFTER RECEIPT OF A NOTICE OF SUSPENSION, TO THE SECRETARY IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY; OR

(II)   FOR AN EMPLOYEE OF THE DEPARTMENT OF PERSONNEL, WITHIN 5 WORKDAYS AFTER RECEIPT OF A NOTICE OF SUSPENSION, TO THE OFFICE OF ADMINISTRATIVE HEARINGS.

> REVISOR'S NOTE:   Subsection (a) of this section is new language added to avoid repetition of the phrase "or designee".
>
> Subsection (b) of this section is new language derived without substantive change from former Art. 64A, § 55(f)(1), the first sentence of § 55(f)(2), and the fourth sentence and the second clause of the second sentence of § 36.
>
> In subsection (b) of this section, the requirement that an appeal be in writing is added to conform to long–standing Departmental understanding and administrative practice and to reflect a similar provision in former Art. 64A, § 55(f), which related to grievance procedures.
>
> Also in subsection (b) of this section, the references to "workdays" are substituted for the former references to "days" and the phrases "after receipt of a notice of suspension" are added for clarity and to reflect long–standing Departmental understanding and administrative practice. See also Art. 94, § 2 of the Code.

Defined terms: "Classified service" § 1–101
              "Secretary" § 1–101

9–405. HEARINGS ON APPEAL — BY UNIT HEAD.

(A)   DELEGATION BY UNIT HEAD.

THE HEAD OF A PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT MAY AUTHORIZE A DESIGNEE TO HEAR APPEALS UNDER THIS SECTION.

(B)   HEARING AND DECISION.

IF AN APPEAL IS MADE TO THE HEAD OF A PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT, THE HEAD OF THE DEPARTMENT OR UNIT SHALL:

(1)   HEAR THE APPEAL WITHIN 3 WORKDAYS AFTER RECEIVING THE APPEAL; AND