

9-504. ORDER OF LAYOFFS.

(A) SENIORITY POINTS.

THE REGULATIONS ADOPTED BY THE SECRETARY UNDER THIS SUBTITLE SHALL INCLUDE AN ORDER OF LAYOFFS DETERMINED BY SENIORITY POINTS, INCLUDING CREDIT FOR:

(1) TOTAL STATE SERVICE;

(2) SERVICE WITHIN THE PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT IN WHICH THE LAYOFF WILL OCCUR; AND

(3) SERVICE IN THE CLASS AND ITS JOB SERIES, AS DEFINED BY THE SECRETARY, IN WHICH THE LAYOFF WILL OCCUR.

(B) TOTAL STATE SERVICE.

THE REGULATIONS SHALL PROVIDE THAT IF TWO OR MORE EMPLOYEES IN THE SAME CLASS HAVE AN EQUAL NUMBER OF SENIORITY POINTS, THE EMPLOYEE WITH LESS TOTAL STATE SERVICE SHALL BE LAID OFF FIRST.

(C) WRITTEN EVALUATION.

THE REGULATIONS SHALL PROVIDE THAT IF TWO OR MORE EMPLOYEES IN THE SAME CLASS HAVE AN EQUAL NUMBER OF SENIORITY POINTS AND THE SAME TOTAL STATE SERVICE, THE APPOINTING AUTHORITY SHALL:

(1) DETERMINE WHICH EMPLOYEE TO RETAIN BY MAKING A WRITTEN EVALUATION OF THE SKILLS, KNOWLEDGE, OR ABILITIES OF EACH EMPLOYEE; AND

(2) SUBMIT THE EVALUATION TO THE SECRETARY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 35(d)(1) and (3).

Defined terms: "Appointing authority" § 1-101

"Class" § 1-101

"Secretary" § 1-101

9-505. DISPLACEMENTS.

(A) BY SENIORITY POINTS.

THE REGULATIONS ADOPTED BY THE SECRETARY UNDER THIS SUBTITLE SHALL PROVIDE THAT AN EMPLOYEE BEING LAID OFF MAY DISPLACE ANOTHER EMPLOYEE WHO HAS THE LEAST SENIORITY POINTS OF ANY EMPLOYEE:

(1) IN THE SAME CLASS OR JOB SERIES AS THE EMPLOYEE BEING LAID OFF; OR

(2) IN ANY OTHER CLASS IN WHICH THE LAID-OFF EMPLOYEE PREVIOUSLY HELD SATISFACTORY PERMANENT STATUS.

(B) LIMITS ON APPLICATION.