

10-203. EFFECT OF FAILURE TO APPEAL OR DECIDE.

(A) FAILURE TO APPEAL.

IF A GRIEVANT FAILS TO APPEAL A DECISION IN ACCORDANCE WITH THIS TITLE TO THE NEXT STEP IN THE GRIEVANCE PROCEEDING, THE GRIEVANT IS CONSIDERED TO HAVE ACCEPTED THE DECISION.

(B) FAILURE TO DECIDE.

IF A GRIEVANCE IS NOT DECIDED AT ANY STEP IN THE GRIEVANCE PROCEEDING, THE GRIEVANCE IS CONSIDERED AS DENIED AND THE GRIEVANT MAY APPEAL TO THE NEXT STEP.

REVISOR'S NOTE: This section is new language derived without substantive change from the first and second sentences of former Art. 64A, § 55(e).

In subsection (a) of this section, the phrase "in accordance with this title" is added for clarity.

In subsection (b) of this section, the reference to "decid[ing]" is substituted for the former reference to "answer[ing]" for clarity.

Defined term: "Grievance" § 10-101

10-204. REPRESENTATION.

(A) FOR GRIEVANT.

A GRIEVANT MAY BE REPRESENTED AT ANY TIME BY ANY PERSON THAT THE GRIEVANT CHOOSES.

(B) FOR EMPLOYER.

(1) AN APPOINTING AUTHORITY AND THE HEAD OF EACH PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT MAY BE REPRESENTED AT ANY TIME BY AN INDIVIDUAL DESIGNATED FOR THAT PURPOSE.

(2) EACH DEPARTMENT OR UNIT HEAD SHALL SUBMIT TO THE SECRETARY A LIST OF INDIVIDUALS DESIGNATED TO REPRESENT THE DEPARTMENT OR UNIT HEAD AT EACH STAGE OF THE GRIEVANCE PROCEEDING.

REVISOR'S NOTE: Subsections (a) and (b)(2) of this section are new language derived without substantive change from former Art. 64A, §§ 53(b) and 55(h).

Subsection (b)(1) of this section is new language added to state explicitly that which was only implied in former Art. 64A, § 55(h) — i.e., representation is allowed at any time. Correspondingly, the reference to an "appointing authority" is added for clarity because a grievance is initiated with the appointing authority or the appointing authority's designee.