

- (III) COLOR;
- (IV) CREED;
- (V) MARITAL STATUS;
- (VI) MENTAL OR PHYSICAL DISABILITY;
- (VII) NATIONAL ORIGIN;
- (VIII) POLITICAL AFFILIATION, BELIEF, OR OPINION;
- (IX) RACE;
- (X) RELIGIOUS AFFILIATION, BELIEF, OR OPINION; OR
- (XI) SEX.

(2) AN ACTION MAY BE TAKEN WITH REGARD TO AGE, SEX, OR DISABILITY TO THE EXTENT THAT AGE, SEX, OR DISABILITY INVOLVES A BONA FIDE OCCUPATIONAL QUALIFICATION.

(D) COMPLIANCE.

TO THE EXTENT FEASIBLE, A UNIT SHALL CONDUCT THE RECRUITMENT AND SELECTION OF CONTRACTUAL EMPLOYEES ACCORDING TO THE GUIDELINES ADOPTED UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 15A(e).

Subsection (c) of this section is rephrased to conform to the terminology used in § 3-405 of this article, which states the general policy of this State against discrimination in employment.

Defined terms: "Contractual employee" § 1-101
 "Secretary" § 1-101

12-204. CONTINUING CERTIFICATION.

EXCEPT AS AUTHORIZED UNDER § 12-303 OF THIS TITLE, THE SECRETARY MAY NOT CONTINUE CERTIFICATION FOR ANY CONTRACTUAL EMPLOYEE IF THE SECRETARY DETERMINES THAT THE SERVICES PERFORMED UNDER THE CONTRACT:

- (1) ENCOMPASS PERMANENT FUNCTIONS;
- (2) HAVE NO SPECIFIC EXPIRATION DATE; AND
- (3) REGULARLY ARE PERFORMED ON A BASIS THAT IS AT LEAST EQUAL TO 50% OF THE WORK RESPONSIBILITY OF A FULL-TIME PERMANENT EMPLOYEE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 15A(c).