

Article – State Personnel and Pensions

4-204.

(a) Subject to the requirements of subsection (b) of this section, the Secretary or [appointing authority] THE HEAD OF A PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT for a unique class may disqualify and refuse to examine an applicant if the applicant:

(1) does not meet the requirements for taking the examination or for appointment to the position;

(2) has a mental or physical disability that precludes performance of the duties of the position;

(3) intentionally falsified information in the application; or

(4) has been deceptive or fraudulent in any phase of the examination or appointment process.

4-209.

(a) (1) For each class, the Secretary or [an appointing authority] THE HEAD OF A PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT for a unique class shall issue a list of eligible candidates that names, in the following sequence:

(i) in the order of seniority established under § 9-506 of this article, individuals who, under § 9-504 of this article, were laid off in good standing from positions in the class; and

(ii) in the order of merit, candidates who have been examined and determined by the Secretary to be qualified for positions in the class.

(2) A new list of eligible candidates for a class shall be combined with an existing list of eligible candidates in accordance with regulations adopted by the Secretary.

(b) (1) If the Secretary or [an appointing authority] THE HEAD OF A PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT for a unique class receives a request to fill a vacancy and a list of eligible candidates does not exist, the Secretary or the [appointing authority] HEAD OF THE PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT FOR A UNIQUE CLASS shall:

(i) immediately schedule an examination; and

(ii) issue the list of eligible candidates that results from the examination within 60 days after the examination.

(2) If a list of eligible candidates does not result from an examination conducted under this subsection, the Secretary or [an appointing authority] THE HEAD OF THE PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT FOR A UNIQUE CLASS shall conduct additional examinations until a list results.