

(i) who, under a written agreement, provides personal services to this State for pay;

(ii) who is not employed in a budgeted position; and

(iii) who has an employer-employee relationship with this State in which this State:

1. furnishes necessary tools and a place to work;

2. has the right to control and direct the details, means, and results of the performance of the services; and

3. has the right to discharge the individual from employment.

(2) "Contractual employee" does not include an individual who is employed as:

(i) a classified service employee;

(ii) an unclassified service employee;

(iii) an emergency employee; or

(iv) a temporary extra employee].

[(f)] (E) "County" means a county of this State and, unless expressly provided otherwise, Baltimore City.

[(g)] (F) UNLESS EXPRESSLY PROVIDED OTHERWISE, "Department" means the Department of Personnel.

(G) "EXECUTIVE SERVICE" MEANS THE EMPLOYMENT CATEGORY IN THE STATE PERSONNEL MANAGEMENT SYSTEM THAT IS DESCRIBED IN § 6-404 OF THIS ARTICLE.

(H) "MANAGEMENT SERVICE" MEANS THE EMPLOYMENT CATEGORY IN THE STATE PERSONNEL MANAGEMENT SYSTEM THAT IS DESCRIBED IN § 6-403 OF THIS ARTICLE.

[(h)] (I) (1) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

(2) Unless expressly provided otherwise, "person" does not include a governmental entity or a unit or instrumentality of a governmental entity.

[(i)] (J) "Position" means an employment assignment of duties and responsibilities that requires the full-time employment of one individual or less than full-time employment of one or more individuals.

[(j)] "Probation" means the status of an employee who, as a condition of continued employment, is required to demonstrate the ability to perform the duties and fulfill the responsibilities of the employee's position.]