

(2) This section does not apply to contractual employees.

(b) The rulemaking and other authority of the Secretary with respect to this section extends only to those employees who are in the State Personnel Management System.

(c) An employee may not be denied the opportunity to seek, qualify for, or receive any promotion solely because the employee is on leave for maternity reasons or on sick leave, if the employee is expected to return to work within 60 days after receiving a request to call for an interview for the position.]

2-303.

(A) THE STATE RECOGNIZES THE RIGHTS AND PROTECTIONS AFFORDED TO ITS EMPLOYEES UNDER FEDERAL LAW.

(B) (1) THIS SUBSECTION DOES NOT AFFECT AN AGE REQUIREMENT ESTABLISHED BY STATE LAW OR A GRANT OF AUTHORITY UNDER STATE LAW TO ESTABLISH REASONABLE MINIMUM OR MAXIMUM AGE REQUIREMENTS.

(2) A DENIAL OF EMPLOYMENT FOR MEDICAL REASONS SHALL COMPLY WITH APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS.

(3) BEFORE AN APPLICANT MAY BE DENIED EMPLOYMENT OR AN EMPLOYEE TERMINATED FOR MEDICAL REASONS, THE APPOINTING AUTHORITY OR A DESIGNEE OF THE APPOINTING AUTHORITY SHALL DOCUMENT IN WRITING:

(I) THAT, UNDER RELEVANT PROVISIONS OF FEDERAL AND STATE LAW AND REGULATIONS, REASONABLE ACCOMMODATIONS WERE CONSIDERED;

(II) THE SPECIFIC ACCOMMODATIONS THAT WERE CONSIDERED;
AND

(III) THE REASONS FOR REJECTING THOSE ACCOMMODATIONS.

(C) (1) THIS SUBSECTION DOES NOT APPLY TO ~~CONTRACTUAL~~ TEMPORARY EMPLOYEES.

(2) A STATE EMPLOYEE MAY NOT BE DENIED THE OPPORTUNITY TO SEEK, QUALIFY FOR, OR RECEIVE ANY PROMOTION SOLELY BECAUSE THE EMPLOYEE IS ON LEAVE FOR MATERNITY REASONS OR ON SICK LEAVE, IF THE EMPLOYEE IS EXPECTED TO RETURN TO WORK WITHIN ~~60~~ 120 DAYS AFTER RECEIVING NOTICE OF AN INTERVIEW FOR THE POSITION.

2-304.

[3-202.](A)(1) Employment by [this] THE State does not affect any right or obligation of a citizen under the Constitution and laws of the United States or under the Constitution and laws of [this] THE State.

[3-203.](2) Except as otherwise provided in this [subtitle] SECTION OR BY FEDERAL LAW, [an] A STATE employee: