

(1) AN EMPLOYEE IN ANY UNIT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING A UNIT WITH AN INDEPENDENT PERSONNEL SYSTEM; AND

(2) AN APPLICANT FOR A POSITION IN THE SKILLED SERVICE, PROFESSIONAL SERVICE, OR MANAGEMENT SERVICE, OF THE STATE PERSONNEL MANAGEMENT SYSTEM OR A COMPARABLE POSITION IN AN INDEPENDENT PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

5-203.

EXCEPT AS PROVIDED IN § 5-209 OF THIS SUBTITLE, IN ADDITION TO ANY RIGHT TO FILE AN EMPLOYMENT DISCRIMINATION COMPLAINT WITH THE MARYLAND COMMISSION ON HUMAN RELATIONS, WITH THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, OR IN COURT, AN EMPLOYEE MAY ELECT TO PURSUE AN ALLEGATION OF EMPLOYMENT DISCRIMINATION UNDER THE COMPLAINT RESOLUTION PROCEDURES OF THIS SUBTITLE.

[3-404.] 5-204.

[(a) The Secretary shall:

- (1) develop the Program; and
- (2) adopt and enforce regulations to implement the Program.

(b) The regulations adopted under this section shall comply with all applicable State and federal laws governing equal employment opportunity.]

THE SECRETARY SHALL:

- (1) ADMINISTER THE PROGRAM IN COMPLIANCE WITH ALL APPLICABLE STATE AND FEDERAL LAWS GOVERNING EQUAL EMPLOYMENT OPPORTUNITY;
- (2) ~~ADOPT REGULATIONS~~ REGULATIONS, POLICIES, AND DIRECTIVES TO IMPLEMENT THE PROGRAM;
- (3) EVALUATE THE EQUAL EMPLOYMENT EFFORTS IN EACH UNIT IN THE PROGRAM;
- (4) TAKE ANY ACTION NECESSARY AND PERMITTED BY LAW TO ENFORCE THIS SUBTITLE; AND
- (5) AT LEAST ANNUALLY REPORT ON THE PROGRAM TO THE GOVERNOR.

[3-405.

(a) Except as provided in subsection (c) of this section, all personnel actions concerning any classified service employee or applicant for employment in the classified service shall be made without regard to:

- (1) age;
- (2) ancestry;