

- (3) color;
- (4) creed;
- (5) marital status;
- (6) mental or physical disability;
- (7) national origin;
- (8) political affiliation, belief, or opinion;
- (9) race;
- (10) religious affiliation, belief, or opinion;
- (11) sex; or
- (12) any other nonmerit factor.

(b) Except as provided in subsection (c) of this section, all personnel actions concerning any employee in the State Personnel Management System who is not in the classified service shall be made without regard to any factor in subsection (a)(1) through (7) and (9) through (11) of this section.

(c) An action may be taken with regard to age, sex, or disability to the extent that age, sex, or physical or mental qualification is a bona fide occupational qualification.]

[3-406.

In accordance with the provisions and intent of the Maryland Constitution and other laws of this State, each unit shall cooperate fully with the Secretary and shall comply with all applicable regulations and directives for implementing the policy of this State against discrimination in employment.]

[3-407.

The Secretary periodically shall:

- (1) evaluate the Program within each unit; and
- (2) consult with and solicit recommendations from interested persons about the Program.]

5-205.

(A) IN ACCORDANCE WITH THE PROVISIONS AND INTENT OF THE MARYLAND CONSTITUTION AND OTHER LAWS OF THE STATE, EACH UNIT SHALL:

- (1) COMPLY WITH ALL APPLICABLE REGULATIONS, POLICIES, GUIDELINES, AND DIRECTIVES OF THE SECRETARY TO CARRY OUT THIS SECTION;
- (2) COOPERATE FULLY WITH THE COORDINATOR IN THE INVESTIGATION OF COMPLAINTS OF DISCRIMINATION IN VIOLATION OF § 5-208 OF THIS SUBTITLE;