

(3) PERFORM THE DUTIES ASSIGNED BY THE FAIR PRACTICES OFFICER AND ANY OTHER DUTY REQUIRED BY THIS ARTICLE.

(E) AN APPOINTING AUTHORITY SHALL DELAY THE EFFECTIVE DATE OF ANY ADVERSE PERSONNEL ACTION THAT DIRECTLY AFFECTS AN EQUAL EMPLOYMENT OPPORTUNITY OFFICER FOR UP TO 45 DAYS, PENDING REVIEW AND RESOLUTION BY THE COORDINATOR.

5-208.

(A) ~~(1) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ALL PERSONNEL ACTIONS CONCERNING AN EMPLOYEE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL BE MADE WITHOUT REGARD TO ANY FACTOR IN ACCORDANCE WITH § 2-302 OF THIS ARTICLE.~~

~~(2) AN EMPLOYEE IN A POSITION IN THE SKILLED SERVICE OR PROFESSIONAL SERVICE OF THE STATE PERSONNEL MANAGEMENT SYSTEM OR A COMPARABLE POSITION IN AN INDEPENDENT PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH IS ENTITLED TO THE PROTECTIONS UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, ALL PERSONNEL ACTIONS CONCERNING ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT IN THE SKILLED SERVICE OR PROFESSIONAL SERVICE OF THE STATE PERSONNEL MANAGEMENT SYSTEM OR COMPARABLE POSITION IN AN INDEPENDENT PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT SHALL ALSO BE MADE WITHOUT REGARD TO:~~

~~(1) ANY PROHIBITED FACTOR LISTED IN § 2-302 OF THIS ARTICLE;~~

~~(2) (1) THE EMPLOYEE'S POLITICAL AFFILIATION, BELIEF, OR OPINION; OR~~

~~(3) (2) ANY OTHER NONMERIT FACTOR.~~

~~(C) A PERSONNEL 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.~~

5-209.

AN EMPLOYEE IN THE SKILLED SERVICE, PROFESSIONAL SERVICE, OR MANAGEMENT SERVICE OF THE STATE PERSONNEL MANAGEMENT SYSTEM MAY ELECT TO PURSUE AN ALLEGATION OF EMPLOYMENT DISCRIMINATION UNDER:

(1) THE COMPLAINT PROCEDURES IN THIS SUBTITLE; OR

(2) THE GRIEVANCE PROCEDURES IN TITLE 12 OF THIS ARTICLE.

5-210.

(A) A COMPLAINANT MAY BE REPRESENTED DURING THE COMPLAINT PROCESS BY ANY PERSON THE COMPLAINANT CHOOSES.