

[4-702.] [(a)] (B) (1) An employee who is retained under [**§ 4-701 of**] this [subtitle] SECTION:

[(1)] (I) shall be employed in a position that corresponds or is similar to the position held at the time of the acquisition; and

[(2)] (II) keeps seniority.

[(b)] A position held by a retained employee is in the unclassified service pending classification of that position as required by **§ 4-703** of this subtitle.

(c)] (2) Beginning as of the date of the acquisition, each retained employee shall be on probation for the period required by Subtitle 4 of this title.

[4-703.] (C) Within 1 year after an acquisition, the Department shall classify each position in the acquired entity.

[4-704.] (D) After positions in the acquired entity are classified, each retained employee:

(1) may continue without an examination to hold the position in which the employee is then employed; and

(2) has all the rights of the class to which that position is allocated.

[4-705.] (E) If a new position is created in an acquired entity or an established position in an acquired entity becomes vacant, the position shall be filled in accordance with this title.

7-602.

(A) (1) AN APPOINTING AUTHORITY MAY REASSIGN ANY EMPLOYEE WITHIN THE APPOINTING AUTHORITY'S JURISDICTION TO ANOTHER POSITION OF EQUAL GRADE AND SERVICE FOR WHICH THE EMPLOYEE MEETS THE MINIMUM QUALIFICATIONS WITHIN THE APPOINTING AUTHORITY'S JURISDICTION.

(2) EXCEPT AS OTHERWISE REQUIRED BY LAW, NO EMPLOYEE MAY BE REASSIGNED FROM ONE PRINCIPAL UNIT TO ANOTHER WITHOUT THE EMPLOYEE'S CONSENT, UNLESS THE SECRETARY CERTIFIES THAT THE REASSIGNMENT IS IN THE BEST INTERESTS OF THE STATE.

(B) (1) (I) AN EMPLOYEE MAY APPLY FOR A TRANSFER TO ANY VACANT POSITION OF THE SAME GRADE IN ANY UNIT OF THE EXECUTIVE BRANCH FOR WHICH THE EMPLOYEE MEETS THE MINIMUM QUALIFICATIONS.

(II) AN EMPLOYEE WHO APPLIES FOR A TRANSFER TO A POSITION WILL BE CONSIDERED FOR THE POSITION ALONG WITH OTHER ELIGIBLE APPLICANTS.

(2) (I) UNLESS EXIGENT CIRCUMSTANCES EXIST, THE APPOINTING AUTHORITY SHALL GIVE AN EMPLOYEE NOTICE OF A PROPOSED REASSIGNMENT AT LEAST 2 WEEKS BEFORE THE EFFECTIVE DATE OF THE TRANSFER.