

[9-304.

(a) A preliminary hearing under this subtitle is in addition to the hearing on the merits required by Subtitle 2 of this title.

(b) The preliminary hearing is limited to the following issues:

(1) whether suspension without pay is necessary to protect the interests of this State or of the classified service employee pending final disposition of the charge; and

(2) whether other employment and status alternatives for the employee should be considered.]

[9-305.

At the preliminary hearing, the classified service employee may:

(1) rebut the reasons given for the suspension;

(2) assert mitigating circumstances; and

(3) offer alternatives to the suspension, including:

(i) a return to the employee's position with pay;

(ii) a transfer to another position with pay; or

(iii) a suspension with pay.]

[9-306.

(a) Within 5 workdays after the preliminary hearing, the Secretary shall issue a decision in writing.

(b) The decision is conclusive only as to the issue of the suspension.]

[9-401.

(a) This subtitle applies to all classified service and unclassified service employees in the State Personnel Management System.

(b) This subtitle does not apply to a suspension pending the disposition of a charge for removal of a classified service employee.]

[9-402.

(a) An appointing authority may suspend an employee for disciplinary purposes.

(b) The appointing authority shall notify the employee in writing of the suspension and the reasons for it.

(c) A suspension for disciplinary purposes under this subtitle shall be without pay.]