

11-111.

THE SECRETARY, BY REGULATION, SHALL ESTABLISH POLICIES AND PROCEDURES FOR DISCIPLINARY ACTIONS RELATED TO EMPLOYEE PERFORMANCE, THAT INCLUDE PROCEDURES FOR:

(1) PROVIDING COUNSELING TO AN EMPLOYEE WITH DEFICIENCIES IN PERFORMANCE;

(2) ALLOWING AN EMPLOYEE THE OPPORTUNITY TO IMPROVE DEFICIENCIES IN PERFORMANCE;

(3) IMPOSING DISCIPLINARY ACTIONS, IF WARRANTED; AND

(4) PROVIDING NOTICE TO AN EMPLOYEE OF ANY DISCIPLINARY ACTION AND THE EMPLOYEE'S APPEAL RIGHTS.

11-112.

(A) IF THE PRINCIPAL UNIT HAS ESTABLISHED A PEER REVIEW PANEL FOR DISCIPLINARY ACTIONS IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE SECRETARY, THE EMPLOYEE, AND THE PRINCIPAL UNIT MAY AGREE IN WRITING TO SUBMIT THE APPEAL TO THE PEER REVIEW PANEL, INSTEAD OF USING THE APPEAL PROCEDURES IN ~~§§ 11-110 AND 11-111~~ §§ 11-109 AND 11-110, OF THIS SUBTITLE.

(B) THE PEER REVIEW PANEL MAY TAKE ACTION AS SET FORTH IN § 11-110(D)(1).

~~(1) SHALL UPHOLD THE DISCIPLINARY ACTION TAKEN IF IT DETERMINES THAT GOOD CAUSE FOR THE ACTION EXISTED; OR~~

~~(2) MAY RESCIND OR MODIFY THE DISCIPLINARY ACTION TAKEN AND RESTORE TO THE EMPLOYEE ANY LOST TIME, COMPENSATION, STATUS, OR BENEFITS.~~

(C) (1) WITHIN THE TIME REQUIRED BY REGULATION, THE PEER REVIEW PANEL SHALL ISSUE TO THE PARTIES A WRITTEN DECISION.

(2) THE DECISION OF THE PEER REVIEW PANEL IS ~~FINAL~~ THE FINAL ADMINISTRATIVE DECISION.

11-113.

(A) THIS SECTION ONLY APPLIES TO AN EMPLOYEE:

(1) IN THE MANAGEMENT SERVICE;

(2) IN EXECUTIVE SERVICE; OR

(3) UNDER A SPECIAL APPOINTMENT DESCRIBED IN § 6-405 OF THIS ARTICLE.

(B) (1) AN EMPLOYEE OR AN EMPLOYEE'S REPRESENTATIVE MAY FILE A WRITTEN APPEAL OF A DISCIPLINARY ACTION WITH THE HEAD OF THE PRINCIPAL UNIT.