

(2) AN APPEAL:

(I) MUST BE FILED WITHIN 15 DAYS AFTER THE EMPLOYEE RECEIVES NOTICE OF THE DISCIPLINARY ACTION; AND

(II) MAY ONLY BE BASED ON THE GROUNDS THAT THE DISCIPLINARY ACTION IS ILLEGAL OR UNCONSTITUTIONAL

(3) THE EMPLOYEE HAS THE BURDEN OF PROOF IN AN APPEAL UNDER THIS SECTION.

(C) THE HEAD OF THE PRINCIPAL UNIT MAY CONFER WITH THE EMPLOYEE BEFORE MAKING A DECISION.

(D) (1) THE HEAD OF THE PRINCIPAL UNIT MAY:

(I) UPHOLD THE DISCIPLINARY ACTION; OR

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

(2) WITHIN 15 DAYS AFTER RECEIVING AN APPEAL, THE HEAD OF THE PRINCIPAL UNIT SHALL ISSUE THE EMPLOYEE A WRITTEN DECISION.

(3) THE DECISION OF THE HEAD OF THE PRINCIPAL UNIT IS ~~FINAL~~ THE FINAL ADMINISTRATIVE DECISION.

Subtitle [5.] 2. Layoffs.

[9-501.] 11-201.

(a) (1) Except as otherwise provided by law, this subtitle ONLY applies to [all classified service and unclassified service employees] SKILLED SERVICE AND PROFESSIONAL SERVICE EMPLOYEES in the State Personnel Management System.

(2) THE PROCEDURES IN THIS SUBTITLE DO NOT APPLY TO:

(I) A DISCIPLINARY ACTION UNDER SUBTITLE 1 OF THIS TITLE;

(II) A TERMINATION OR SEPARATION FROM EMPLOYMENT UNDER SUBTITLE 3 OF THIS TITLE; OR

(III) SPECIAL APPOINTEES.

[(b) This subtitle does not apply to:

(1) unclassified service employees of the Injured Workers' Insurance Fund;

(2) unclassified service employees of the central collection unit in the Department of Budget and Fiscal Planning;

(3) unclassified service employees of the Maryland Automobile Insurance Fund; or