

~~(2) APPEALS FOR DISCIPLINARY TERMINATIONS OF EMPLOYMENT ARE GOVERNED BY SUBTITLE 1 OF THIS TITLE.~~

11-302.

(A) AN EMPLOYEE IS SEPARATED FROM STATE SERVICE WHEN THE APPROPRIATION IN THE STATE BUDGET FOR THE POSITION IS:

(1) OMITTED BY THE GOVERNOR, AS EVIDENCED IN THE SUPPORTING DOCUMENTATION SUBMITTED WITH THE BUDGET;

(2) STRUCK BY THE GENERAL ASSEMBLY, AS EVIDENCED IN THE BUDGET BILL OR IN THE REPORT OF THE BUDGET COMMITTEES; OR

(3) REDUCED BY THE GOVERNOR IN ACCORDANCE WITH § 7-213 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AS EVIDENCED IN THE SUPPORTING DOCUMENTATION SUBMITTED TO THE BOARD OF PUBLIC WORKS.

(B) AN EMPLOYEE MAY NOT APPEAL A SEPARATION FROM EMPLOYMENT UNDER THIS SUBSECTION.

(C) AN EMPLOYEE WHO IS SEPARATED UNDER THIS SECTION IS NOT SUBJECT TO THE LAYOFF PROVISIONS OF SUBTITLE 2 OF THIS TITLE WITH THE EXCEPTION THAT AN EMPLOYEE WHO IS SEPARATED SHALL HAVE THE SAME REINSTATEMENT RIGHTS AS A LAID-OFF EMPLOYEE.

11-303.

(A) AN APPOINTING AUTHORITY MAY TERMINATE THE EMPLOYMENT OF A PROBATIONARY EMPLOYEE.

(B) BEFORE TERMINATING AN EMPLOYEE WHO IS ON PROBATION, THE APPOINTING AUTHORITY SHALL GIVE THE EMPLOYEE A NOTICE OF TERMINATION AT LEAST 10 DAYS BEFORE THE EFFECTIVE DATE OF THE TERMINATION.

(C) AN APPOINTING AUTHORITY MAY SUSPEND A PROBATIONARY EMPLOYEE WITH PAY BETWEEN THE DATE OF THE NOTICE AND THE EFFECTIVE DATE OF THE TERMINATION.

(D) A PROBATIONARY EMPLOYEE MAY APPEAL A TERMINATION UNDER THIS SECTION ONLY ON THE GROUNDS THAT THE TERMINATION IS ILLEGAL OR UNCONSTITUTIONAL.

11-304.

(A) (1) THIS SECTION APPLIES TO EMPLOYEES ON PROBATION FOLLOWING A PROMOTION OR REINSTATEMENT TO A POSITION IN THE SKILLED SERVICE OR PROFESSIONAL SERVICE.

(2) THIS SECTION DOES NOT APPLY TO PROBATIONARY EMPLOYEES IN THE MANAGEMENT SERVICE ~~OR EXECUTIVE SERVICE OR UNDER A SPECIAL APPOINTMENT.~~