

(B) UNLESS ANOTHER PROCEDURE IS PROVIDED FOR BY LAW THIS ARTICLE, THE GRIEVANCE PROCEDURE IS THE EXCLUSIVE REMEDY THROUGH WHICH AN A NON-TEMPORARY EMPLOYEE MAY SEEK AN ADMINISTRATIVE REMEDY IN THE STATE PERSONNEL MANAGEMENT SYSTEM MAY SEEK AN ADMINISTRATIVE REMEDY FOR VIOLATIONS OF THE PROVISIONS OF THIS ARTICLE.

[10-104.] 12-104.

For employees of the Department, the Secretary shall provide separate grievance procedures that are similar to the grievance procedures specified in this title.

[10-204.] 12-105.

(a) [A grievant may be represented at any time by any person that the grievant chooses] A GRIEVANT MAY CHOOSE ANY PERSON TO ASSIST OR REPRESENT THE GRIEVANT AT ANY TIME DURING THE GRIEVANCE PROCESS AND SHALL NOTIFY THE EMPLOYER OF THAT CHOICE.

(b) [(1) An appointing authority and the head of each principal department or other independent unit may be represented at any time by an individual designated for that purpose.

(2) Each department or unit head shall submit to the Secretary a list of individuals designated to represent the department or unit head at each stage of the grievance proceeding.]

THE APPOINTING AUTHORITY, THE HEAD OF THE PRINCIPAL UNIT, OR THE SECRETARY MAY DESIGNATE AN INDIVIDUAL TO ASSIST OR REPRESENT THEM AT ANY STEP OF THE GRIEVANCE PROCESS AND SHALL NOTIFY THE GRIEVANT OF THAT DESIGNATION.

[10-203.] 12-106.

(a) [If] EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, IF a grievant fails to appeal a decision in accordance with this title to the next step in the grievance [proceeding] PROCEDURE, the grievant is considered to have accepted the decision.

(b) [If a grievance is not decided at any step in the grievance proceeding, the grievance is considered as denied and the grievant may appeal to the next step.] EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A FAILURE TO DECIDE A GRIEVANCE AT ANY STEP IN THE GRIEVANCE PROCEDURE IN ACCORDANCE WITH THIS TITLE IS CONSIDERED A DENIAL FROM WHICH AN APPEAL MAY BE MADE.

[10-303.] 12-107.

(A) The parties may agree to waive any time limitations specified in this title.

(B) IF THE INDIVIDUAL RESPONSIBLE TO PREPARE A DECISION TO A GRIEVANCE AT STEP ONE OR STEP TWO OF THE GRIEVANCE PROCEDURE CANNOT RESPOND WITHIN THE TIME SPECIFIED IN THIS TITLE BECAUSE THE INDIVIDUAL IS ON APPROVED LEAVE FOR 3 OR MORE DAYS:

(1) THE PERIOD FOR THE DECISION SHALL BE EXTENDED BY THE NUMBER OF DAYS OF THE APPROVED LEAVE, UP TO A MAXIMUM OF 14 DAYS; AND