

(2) SUBMIT THE GRIEVANCE TO THE PEER REVIEW PANEL AFTER STEP ONE OF THE GRIEVANCE PROCEDURE.

12-302.

THE PEER REVIEW PANEL SHALL REVIEW EACH GRIEVANCE SUBMITTED TO IT IN ACCORDANCE WITH ESTABLISHED PROCEDURES.

12-303.

(1) AFTER A REVIEW, THE PANEL SHALL ISSUE A WRITTEN DECISION TO THE PARTIES AND MAY GRANT ANY APPROPRIATE REMEDY UNDER § 12-402(A) OF THIS TITLE.

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

SUBTITLE 4. MISCELLANEOUS PROVISIONS.

12-401.

A DECISION MAKER AT ANY STEP IN THE GRIEVANCE PROCEDURE SHALL DETERMINE THE:

(1) PROPER INTERPRETATION OR APPLICATION OF THE POLICY, PROCEDURE, OR REGULATION INVOLVED IN THE GRIEVANCE; AND

(2) APPROPRIATE REMEDY.

[10-210.] 12-402.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE REMEDIES AVAILABLE TO A GRIEVANT UNDER THIS TITLE ARE LIMITED TO THE RESTORATION OF THE RIGHTS, PAY, STATUS, OR BENEFITS THAT THE GRIEVANT OTHERWISE WOULD HAVE HAD IF THE CONTESTED POLICY, PROCEDURE, OR REGULATION HAD BEEN APPLIED APPROPRIATELY AS DETERMINED BY THE FINAL DECISION MAKER.

[(a)](B) (1) [The Secretary] A DECISION MAKER AT STEP TWO OR STEP THREE OF THE GRIEVANCE PROCEDURE may order an appointing authority to grant back pay [in any grievance proceeding].

[(b)] (2) (I) In a reclassification grievance [proceeding in which], ~~IF the Secretary determines that the grievant is working outside of classification or in a position that is improperly classified, the Secretary[, in the Secretary's discretion,] may order back pay~~ BACK PAY MAY BE AWARDED for a period not exceeding 1 year before the grievance procedure was initiated.

(II) A BACK PAY ORDER UNDER THIS PARAGRAPH IS SOLELY IN THE DISCRETION OF THE SECRETARY AND THE OFFICE OF ADMINISTRATIVE HEARINGS.