

[ 12-202.] 13-202.

(a) Except as otherwise authorized under [ § 12-201(b) ] § 13-201(B) of this subtitle, a unit may not execute or renew a contract for the employment of a contractual employee unless the Secretary issues to the unit a certification that:

(1) the employment of the contractual employee is for services that cannot be performed by assignment or hiring of [ a classified service or unclassified service ] ANY NONTEMPORARY employee;

(2) the rate of pay for the contractual employee is comparable to the rate paid to [ classified service or unclassified service ] employees in positions that involve comparable duties, responsibilities, experience, and authority; and

(3) the services to be performed under the contract encompass functions that:

(i) are infrequent;

(ii) are needed for a limited time;

(iii) are unusual; or

(iv) need to be implemented quickly and for which there is no reasonable alternative.

(b) The Secretary may issue a certification for any effective period that does not exceed the period of the contract between the unit and the contractual employee.

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(a) The Secretary shall adopt guidelines for the recruitment and selection of contractual employees.

(b) These guidelines shall require a contracting unit:

(1) to make a reasonable effort to publicly solicit applicants for contractual employment;

(2) to make a reasonable effort to screen and select contractual employees by using methods and criteria that are uniformly applied to all applicants for a particular instance of contractual employment; and

(3) to use criteria to select contractual employees that:

(i) are based on the qualifications of the applicant; and

(ii) conform to subsection (c) of this section.

(c) [ (1) Except as provided in paragraph (2) of this subsection, each contracting unit shall select contractual employees without regard to:

(i) age;

(ii) ancestry;