

(5) SET THE QUALIFICATIONS OF EMPLOYEES FOR APPOINTMENT; AND PROMOTION, AND ~~TO~~ SET STANDARDS OF CONDUCT;

(6) PROMULGATE STATE OR DEPARTMENT RULES, REGULATIONS, OR PROCEDURES;

(7) PROVIDE A SYSTEM OF MERIT EMPLOYMENT ACCORDING TO THE STANDARD OF BUSINESS EFFICIENCY; AND

(8) TAKE ACTIONS, NOT OTHERWISE SPECIFIED IN THIS SECTION TO CARRY OUT THE MISSION OF THE EMPLOYER.

~~(B) UNLESS THE STATE AGREES TO MODIFY THROUGH A COLLECTIVE BARGAINING AGREEMENT, THE STATE THROUGH ITS APPROPRIATE OFFICERS AND EMPLOYEES, HAS THE RIGHT TO:~~

~~(1) SCHEDULE, TRANSFER, AND EVALUATE EMPLOYEES; AND~~

~~(2) SET THE QUALIFICATIONS OF EMPLOYEES FOR STEP INCREASES, AND TO SET STANDARDS OF PERFORMANCE AND APPEARANCE.~~

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(A) (1) IN THIS SECTION, "STRIKE" MEANS ANY CONCERTED ACTION TO IMPEDE THE FULL AND PROPER PERFORMANCE OF EMPLOYMENT DUTIES IN ORDER TO INDUCE, INFLUENCE, COERCE, OR ENFORCE DEMANDS FOR A CHANGE IN WAGES, HOURS, TERMS, OR OTHER CONDITIONS OF EMPLOYMENT.

(2) ~~EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, "STRIKE" INCLUDES A TOTAL OR PARTIAL:~~

(I) REFUSAL OR FAILURE TO REPORT TO WORK;

(II) REFUSAL OR FAILURE TO PERFORM EMPLOYMENT DUTIES;

(III) WITHDRAWAL FROM WORK;

(IV) WORK STOPPAGE; OR

(V) WORK SLOWDOWN.

~~(3) "STRIKE" DOES NOT INCLUDE A WORK STOPPAGE BY EMPLOYEES IN GOOD FAITH BECAUSE OF ABNORMAL WORKING CONDITIONS AT THE WORK SITE THAT ARE DANGEROUS AND UNHEALTHFUL.~~

(B) STATE EMPLOYEES ARE PROHIBITED FROM ENGAGING IN ANY STRIKE.

(C) AN APPOINTING AUTHORITY MAY TAKE DISCIPLINARY ACTION, INCLUDING TERMINATION OF EMPLOYMENT, AGAINST AN EMPLOYEE WHO PARTICIPATES IN A STRIKE.

(D) THE BOARD SHALL REVOKE THE CERTIFICATION OF AN EXCLUSIVE REPRESENTATIVE WHO ENGAGES IN ANY STRIKE ACTIVITY IN VIOLATION OF THIS SECTION.