

(9) AN EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, ST. MARY'S COLLEGE OF MARYLAND, OR BALTIMORE CITY COMMUNITY COLLEGE WHO IS:

(I) A CHIEF ADMINISTRATOR OR IN A COMPARABLE POSITION;

(II) A DEPUTY, ASSOCIATE, OR ASSISTANT ADMINISTRATOR OR IN A COMPARABLE POSITION;

(III) A MEMBER OF THE FACULTY, INCLUDING A FACULTY LIBRARIAN;

(IV) A STUDENT EMPLOYEE, INCLUDING A TEACHING ASSISTANT OR A COMPARABLE POSITION, FELLOW, OR POST DOCTORAL INTERN;

(V) A CONTINGENT, CONTRACTUAL, TEMPORARY, OR EMERGENCY EMPLOYEE WITH LESS THAN 2 YEARS OF CONTINUOUS SERVICE;

(VI) A CONTINGENT, CONTRACTUAL, OR TEMPORARY EMPLOYEE WHOSE POSITION IS FUNDED THROUGH A RESEARCH OR SERVICE GRANT OR CONTRACT, OR THROUGH CLINICAL REVENUES; OR

(VII) AN EMPLOYEE WHOSE REGULAR PLACE OF EMPLOYMENT IS OUTSIDE THE STATE OF MARYLAND;

~~(10) AN EMPLOYEE OF A COMMUNITY COLLEGE OTHER THAN BALTIMORE CITY COMMUNITY COLLEGE;~~

[(9)] ~~(11)~~ **(10)** an employee whose participation in a labor organization would be contrary to the State's ethics laws; or

[(10)] ~~(12)~~ **(11)** any supervisory, managerial, or confidential employee OF A UNIT OF STATE GOVERNMENT LISTED IN SUBSECTION (A)(1) THROUGH (4) OF THIS SECTION, as defined by regulation IN REGULATIONS ADOPTED by the Secretary; OR

(13) ANY SUPERVISORY, MANAGERIAL, OR CONFIDENTIAL EMPLOYEE OF A STATE INSTITUTION OF HIGHER EDUCATION LISTED IN SUBSECTION (A)(5) OF THIS SECTION, AS DEFINED IN REGULATIONS ADOPTED BY THE GOVERNING BOARD OF THE INSTITUTION.

3-206.

(a) The Board is responsible for administering and enforcing ~~this title~~ PROVISIONS OF THIS TITLE RELATING TO EMPLOYEES DESCRIBED IN § 3-102(A)(1) THROUGH (4) OF THIS TITLE.

~~(b) In addition to any other powers or duties provided for elsewhere in this title, the Board may:~~

~~(1) (i) establish guidelines for creating new bargaining units that include a consideration of:~~

~~1. the effect of overfragmentation on the employer;~~