

(3) The decision of the head of the principal unit is the final administrative decision.

(e) Within 15 days after issuance of a decision to rescind a disciplinary action, the disciplinary action shall be expunged from the employee's personnel records.

11-305.

(a) This section only applies to an employee who is in a position:

- (1) under a special appointment;
- (2) in the management service; or
- (3) in the executive service.

(b) Each employee subject to this section:

- (1) serves at the pleasure of the employee's appointing authority; and
- (2) may be terminated from employment for any reason THAT IS NOT ILLEGAL OR UNCONSTITUTIONAL, solely in the discretion of the appointing authority.

(C) A MANAGEMENT SERVICE EMPLOYEE OR A SPECIAL APPOINTMENT EMPLOYEE DESIGNATED BY THE SECRETARY UNDER § 4-201(C)(2)(I) OF THIS ARTICLE MAY NOT BE TERMINATED FOR THE PURPOSE OF CREATING A NEW POSITION FOR ANOTHER INDIVIDUAL'S APPOINTMENT BECAUSE OF THAT INDIVIDUAL'S POLITICAL AFFILIATION, BELIEF, OR OPINION.

~~(D) A MANAGEMENT SERVICE EMPLOYEE OR A SPECIAL APPOINTMENT EMPLOYEE WHO IS TERMINATED UNDER SUBSECTION (B) OF THIS SECTION SHALL BE GIVEN, IN WRITING, THE REASONS FOR THE TERMINATION BY THE EMPLOYEE'S APPOINTING AUTHORITY.~~

[(c)] ~~(E)~~ (D) An employee or an employee's representative may file a written appeal of an employment termination under this section as described under § 11-113 of this title.

~~(F) AN EMPLOYEE SUBJECT TO THIS SECTION MAY INITIATE A CAUSE OF ACTION BASED ON THE EMPLOYEE'S TERMINATION WITHOUT FIRST EXHAUSTING THE EMPLOYEE'S ADMINISTRATIVE REMEDIES.~~