

2-103.4.

(A) WITHOUT REGARD TO THE LAWS OF THIS STATE RELATING TO OTHER STATE EMPLOYEES, THE SECRETARY OF TRANSPORTATION MAY ESTABLISH A HUMAN RESOURCES MANAGEMENT SYSTEM FOR EMPLOYEES OF THE DEPARTMENT AND ITS UNITS. ANY HUMAN RESOURCES MANAGEMENT SYSTEM THAT THE SECRETARY ESTABLISHES UNDER THIS SECTION SHALL:

(1) BE BASED ON MERIT;

(2) INCLUDE FAIR AND EQUITABLE PROCEDURES FOR ~~APPOINTMENT AND REMOVAL, REDRESS OF GRIEVANCES, PROMOTION, AND LAYOFF OF EMPLOYEES; AND APPOINTMENT, HIRING, PROMOTION, LAYOFF, REMOVAL, TERMINATION, REDRESS OF GRIEVANCES, AND REINSTATEMENT OF EMPLOYEES; AND~~

(3) ~~ALLOW PERMIT~~ EMPLOYEES TO PARTICIPATE IN THE PENSION AND RETIREMENT SYSTEMS FOR EMPLOYEES OF THE STATE OF MARYLAND AUTHORIZED UNDER ARTICLE 73B OF THE CODE OR ANY OTHER PENSION AND RETIREMENT SYSTEMS AUTHORIZED BY LAW.

(B) IN THE EXERCISE OF THE SECRETARY'S POWERS UNDER THIS SECTION, THE SECRETARY MAY:

(1) CREATE AND ABOLISH ANY POSITION OTHER THAN POSITIONS SPECIFICALLY PROVIDED FOR IN THIS ARTICLE; AND

(2) DETERMINE THE QUALIFICATIONS, APPOINTMENT, REMOVAL, TENURE, TERMS OF EMPLOYMENT, AND COMPENSATION OF EMPLOYEES UNLESS OTHERWISE PROHIBITED BY LAW.

(C) ANY HUMAN RESOURCES MANAGEMENT SYSTEM ESTABLISHED UNDER THIS SECTION SHALL PROVIDE THAT CLASSIFIED MERIT SYSTEM PERSONNEL EMPLOYED IMMEDIATELY PRIOR TO THE DATE OF ITS ESTABLISHMENT SHALL BE ALLOWED TO REMAIN IN THE PREVIOUS PERSONNEL SYSTEM UNTIL JUNE 30, 1996. ANY PERSON WHO AS OF JUNE 30, 1996 IS EMPLOYED BY THE DEPARTMENT IN A POSITION AUTHORIZED BY THE STATE BUDGET, BUT NOT INCLUDED UNDER A COLLECTIVE BARGAINING AGREEMENT, SHALL BE REQUIRED TO TRANSFER INTO THE HUMAN RESOURCES MANAGEMENT SYSTEM OF THE DEPARTMENT WITHOUT LOSS OF ACCUMULATED LEAVE OR RETIREMENT STATUS. ANY EMPLOYEE HIRED AFTER THE ESTABLISHMENT OF THE NEW SYSTEM AS A PERMANENT EMPLOYEE OF THE DEPARTMENT SHALL BE HIRED UNDER THE PROVISIONS OF THE NEW HUMAN RESOURCES MANAGEMENT SYSTEM. NOTHING IN THIS ACT SHALL AFFECT THE COLLECTIVE BARGAINING RIGHTS OF MEMBERS OF THE TRANSIT WORKERS UNION.