

(D) (1) THE SECRETARY MAY SHALL ADOPT REGULATIONS TO GOVERN THE HUMAN RESOURCES MANAGEMENT SYSTEM ESTABLISHED UNDER THIS SECTION.

(2) THE REGULATIONS SHALL ADDRESS PROCEDURES FOR LEAVE, APPOINTMENT, HIRING, PROMOTION, LAYOFF, REMOVAL, TERMINATION, REDRESS OF GRIEVANCES, AND REINSTATEMENT OF EMPLOYEES AND SHALL BE PRESENTED TO THE JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW UNDER TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE.

(3) SUBJECT TO THE PROVISIONS OF PARAGRAPH (4) OF THIS SUBSECTION, THE EMPLOYEE GRIEVANCE PROCEDURES SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING SEQUENCE OF LEVELS OF APPEAL:

(I) INITIALLY AN AGGRIEVED EMPLOYEE SHALL PRESENT ANY GRIEVANCE TO THE APPOINTING AUTHORITY OR A DESIGNATED REPRESENTATIVE, WHO SHALL RENDER A WRITTEN DECISION;

(II) ANY APPEAL SHALL BE PRESENTED TO THE SECRETARY OR A DESIGNATED REPRESENTATIVE, WHO SHALL RENDER A WRITTEN DECISION;

(III) IF THE DISPUTE IS STILL UNRESOLVED, THE APPEAL SHALL BE REFERRED TO THE OFFICE OF ADMINISTRATIVE HEARINGS OR A MUTUALLY AGREED UPON THIRD PARTY ARBITER WHO MAY NOT HEAR GRIEVANCES RELATING TO CLASSIFICATION, SALARY, OR FISCAL MATTERS; AND

(IV) FOR DISCIPLINARY ACTIONS ONLY, EITHER PARTY MAY APPEAL ANY DECISION OF THE OFFICE OF ADMINISTRATIVE HEARINGS OR A THIRD PARTY ARBITER TO THE SECRETARY OF PERSONNEL OR THAT SECRETARY'S DESIGNEE.

(4) THESE REGULATIONS SHALL INCLUDE PROCEDURES THAT ENSURE THAT ALL EMPLOYEES OF THE DEPARTMENT COVERED BY THIS SECTION AND ALL EMPLOYEES HIRED AFTER JUNE 1, 1992 SHALL BE ENTITLED TO THE SAME LEVELS OF APPEAL PROVIDED FOR IN THE STATE EMPLOYEES' GRIEVANCE PROCEDURES AS CONTAINED IN ARTICLE 64A OF THE CODE. ANY DISCIPLINARY ACTION TAKEN AGAINST SUCH EMPLOYEES BY THE DEPARTMENT SHALL INCLUDE THE SAME LEVELS OF APPEAL CONTAINED IN ARTICLE 64A AND ITS IMPLEMENTING REGULATIONS.

(E) (1) THE SECRETARY SHALL ESTABLISH AN EMPLOYEE PERFORMANCE INCENTIVE AWARDS PROGRAM IN ACCORDANCE WITH ARTICLE 64A OF THE CODE.