

Senate No. 252

AN ACT concerning

Merit System – Hearings and Decisions

FOR the purpose of requiring the Secretary of Personnel to delegate authority to the Office of Administrative Hearings to hear and decide certain appeals; clarifying certain delegations of authority to the Office of Administrative Hearings to conduct certain hearings and to issue certain decisions in contested State employment cases; authorizing the Office of Administrative Hearings to issue certain final decisions; ~~making this Act an emergency measure; authorizing a party to appeal a decision to the Secretary of Personnel under certain circumstances;~~ and generally relating to hearings and decisions in contested cases under the Merit System Law.

BY repealing and reenacting, with amendments,

Article 64A – Merit System

Section 36A

Annotated Code of Maryland

(1988 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 64A – Merit System

36A.

(a) The Secretary of Personnel [may designate an arbitrator of the Employer–Employee Relations Division of the Department of Personnel] SHALL DELEGATE AUTHORITY TO THE OFFICE OF ADMINISTRATIVE HEARINGS to hear and issue the final decision in the following cases:

- (1) Denial of increment appeals under § 30(b)(1) and (3) of this article; and
- (2) Grievance appeals under § 54 of this article.

(b) The Secretary of Personnel [may designate an arbitrator of the Employer–Employee Relations Division of the Department of Personnel] SHALL DELEGATE AUTHORITY TO THE OFFICE OF ADMINISTRATIVE HEARINGS to hear and issue [proposals for] FINAL decisions in the following cases:

- (1) Removal appeals under § 33 of this article or Article 29, § 11–109(b) of the Code;
- (2) Demotion appeals under § 31 of this article;
- (3) Unsatisfactory work or conduct report appeals under § 34 of this article;
- (4) Suspension appeals under §§ 30 and 36 of this article; and