

eliminate it, so that all persons are afforded an equal opportunity to attain the full measure of the benefits of our government and society; and

WHEREAS, The achievement of these objectives can be facilitated through appropriate amendments to the Code of Fair Practices, prohibiting improper discrimination on the basis of political or religious opinion or affiliation, marital status, or physical or mental handicap with respect to State employment; and requiring the establishment, maintenance, implementation, and supervision of affirmative action plans with respect to State employment and certain persons doing business with the State;

NOW, THEREFORE, I, MARVIN MANDEL, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, AND IN ACCORDANCE WITH ARTICLE 41, SECTION 15CA OF THE ANNOTATED CODE OF MARYLAND, HEREBY PROMULGATE THE FOLLOWING AMENDMENTS TO THE CODE OF FAIR PRACTICES, TO BECOME EFFECTIVE NOVEMBER 1, 1976:

ARTICLE I [APPOINTMENT, ASSIGNMENT AND PROMOTION OF STATE PERSONNEL] EQUAL OPPORTUNITY PROGRAM IN STATE EMPLOYMENT

(A) State officials and supervisory employees shall appoint, assign, and promote State personnel on the basis of merit and fitness[.]. APPOINTMENTS, ASSIGNMENTS, AND PROMOTIONS SHALL BE MADE without regard to (1) POLITICAL OR RELIGIOUS OPINION OR AFFILIATION, MARITAL STATUS, race, color, creed, OR national origin, OR (2) sex, PHYSICAL OR MENTAL HANDICAP, or age, except when sex, HANDICAP, or age involves a bona fide job requirement. [No] State personnel shall NOT be dismissed or in any way penalized on account of POLITICAL OR RELIGIOUS OPINION OR AFFILIATION, race, color, sex, MARITAL STATUS, creed or national origin. STATE PERSONNEL SHALL NOT BE DISMISSED OR IN ANY WAY PENALIZED on account of age, except pursuant to a bona fide uniform retirement policy, OR ON ACCOUNT OF PHYSICAL OR MENTAL HANDICAP UNLESS THE HANDICAP IS FOUND TO BE A MATERIAL AND SUBSTANTIAL IMPEDIMENT TO THE PERFORMANCE OF THE JOB, IN ACCORDANCE WITH ESTABLISHED MERIT SYSTEM AND GRIEVANCE PROCEDURES.

(B) THE SECRETARY OF PERSONNEL IS RESPONSIBLE FOR THE OVERALL ADMINISTRATION OF THE EQUAL EMPLOYMENT OPPORTUNITY PROGRAM FOR STATE MERIT SYSTEM EMPLOYEES AND APPLICANTS FOR STATE MERIT SYSTEM EMPLOYMENT. WITH THE ADVICE OF THE EXECUTIVE DIRECTOR AND CHAIRMAN OF THE HUMAN RELATIONS COMMISSION, HE SHALL DEVELOP, PROMULGATE, AND ENFORCE RULES, REGULATIONS, AND GUIDELINES FOR THE IMPLEMENTATION OF THE EQUAL EMPLOYMENT OPPORTUNITY