

THE REGULATIONS SHALL LIMIT THE APPLICATION OF SUBSECTION (A) OF THIS SECTION:

- (1) FIRST, TO THE EMPLOYEE'S APPOINTING AUTHORITY; AND
- (2) SUBSEQUENTLY:

(I) TO THE EMPLOYEE'S PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT, REGARDLESS OF GEOGRAPHICAL AREA; OR

(II) TO THE EMPLOYEE'S PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT IN A SPECIFIC GEOGRAPHICAL AREA, AS DEFINED BY THE SECRETARY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 35(d)(2).

In subsection (a) of this section, the term "seniority points" is substituted for the former reference to "seniority" for clarity and consistency.

Subsection (b) of this section is revised for clarity and to conform to COMAR 06.01.01.44H and .44-1H.

Defined terms: "Appointing authority" § 1-101

"Class" § 1-101

"Secretary" § 1-101

9-506. ORDER OF REINSTATEMENTS.

THE REGULATIONS ADOPTED BY THE SECRETARY UNDER THIS SUBTITLE SHALL INCLUDE AN ORDER OF REINSTATEMENT DETERMINED BY SENIORITY POINTS, INCLUDING PROVISIONS THAT:

(1) THE EMPLOYEE WITH THE MOST SENIORITY POINTS SHALL BE THE FIRST EMPLOYEE TO BE REINSTATED TO THE CLASS FROM WHICH THE EMPLOYEE WAS LAID OFF OR TO ANY LOWER CLASS IN THE SAME JOB SERIES WITHIN THE PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT UNIT IN WHICH THE LAYOFF OCCURRED; AND

(2) REINSTATEMENT TO A COMPARABLE JOB CLASS TO WHICH THE SECRETARY HAS CERTIFIED LAID-OFF EMPLOYEES SHALL BE MADE FROM AMONG THE FIVE LAID-OFF EMPLOYEES WITH THE MOST SENIORITY POINTS WHO ARE CERTIFIED TO THE CLASS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 35(d)(4).

As to the use of the terms "reinstatement" and "reinstated", see § 1-101(k) of this article and its accompanying Revisor's Note.

Defined terms: "Class" § 1-101

"Secretary" § 1-101