

Appeals of Classified Employee Personnel Actions

In the types of classified employee personnel actions identified below, the President may elect to either:

delegate to the Office of Administrative Hearings the authority to conduct a hearing (in accordance with the procedures set forth herein and in the Personnel Procedures for Classified Employees) and issue a proposed decision for approval by the Secretary of Budget and Management, or

where a hearing' is provided for in sections 14-204 through 14-208 of the Education Article of the Annotated Code of Maryland, the President may hold the hearing in accordance with the Board of Regents procedures provided herein and the Personnel Procedures for Classified Employees. .

Appeal from a Rejection of a Classified Employee During Probation that Results from a Promotion

If a classified employee is on probation as a result of a promotion and during the probationary period is rejected, the employee may appeal by filing written request for a hearing with the Director of Human Resources within five (5) working days of receiving notice of the rejection. The written request for an appeal hearing shall state the issues of fact and law that the employee believes would warrant a rescission of the rejection, limited to allegations that the rejection was:

- 1 procedurally defective and the procedural defect was material,
- 2 illegal, or
- 3 unconstitutional.

The President (or designee) may review the record and/or confer with the employee. The President's determination (based upon the President's review or upon the recommendation of the President's designee) may be to:

- 1 Uphold the rejection; Or
- 2 Rescind or modify the action taken..

The President shall issue a written decision to the appealing employee. The decision of the President is the final administrative decision.