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§2–105.

(a) In this section, “Secretary” means the Secretary of Budget and Management.

(b) All employees of the Administration that serve in a management, professional, or technical capacity are in the executive service, management service, or are special appointments in the State Personnel Management System and serve at the pleasure of the Commissioner.

(c) In accordance with the State budget, the Commissioner may set the compensation of an employee under subsection (b) of this section in a position that:

(1) is unique to the Administration;

(2) requires specific skills or experience to perform the duties of the position; and

(3) does not require the employee to perform functions that are comparable to functions performed in other units of the Executive Branch of State government.

(d) The Secretary, in consultation with the Commissioner, shall determine the positions for which the Commissioner may set compensation under subsection (c) of this section.

(e) (1) At least 45 days before the effective date of the change, the Commissioner shall submit to the Secretary each change to salary plans that involves increases or decreases in salary ranges other than those associated with routine reclassifications and promotions or general salary increases approved by the General Assembly.

(2) Reportable changes include creation or abolition of classes, regrading the classes from one established range to another, or creation of new pay schedules or ranges.

(3) The Secretary shall:

(i) review the proposed changes; and

(ii) at least 15 days before the effective date of the proposed changes, advise the Commissioner whether the changes would have an adverse effect on comparable State jobs.

(4) Failure of the Secretary to respond in a timely manner is not considered a statement of adverse effect.

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