

Article - Natural Resources

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§3–103.1.

(a) The staff of the Service shall consist of such employees as the Service may determine are necessary to carry out the duties of the Service.

(b) (1) The Service shall adopt regulations to govern the employees of the Service.

(2) The Service shall establish a personnel system that:

(i) Is based on merit and compensates employees based on performance;

(ii) Includes fair and equitable procedures for the redress of grievances and for the hiring, promotion, and laying off of employees; and

(iii) Allows State employees who are employed by the Service prior to July 1, 1993 and members of the State retirement or pension systems to continue membership in the Employees' Retirement System of the State of Maryland or the Employees' Pension System of the State of Maryland.

(3) (i) The Service shall be liable for and shall pay to the State Retirement Agency the employer's share of employee retirement or pension costs for Service employees who participate in the State retirement or pension systems, as provided in Title 21, Subtitle 3 of the State Personnel and Pensions Article.

(ii) The Service shall be liable for and shall pay the employer's share of health insurance costs for Service employees.

(4) In carrying out the requirements of this subsection, the Service may:

(i) Create or abolish any position other than one specifically provided for in this subtitle;

(ii) Determine employee qualifications, appointment and removal procedures, terms of employment including compensation, benefits, holiday schedules, and leave policies, and any other matter concerning employees; and

(iii) Subject to the provisions of subsection (c) of this section, take such actions that are necessary for the transition to a new personnel system.

(c) (1) All State employees who are employed by the Service prior to July 1, 1993 shall be provided the opportunity to transfer to the Service's new personnel system without loss of pay. All nonstate employees of the Service employed prior to July 1, 1993 shall be members of the new personnel system.

(2) All persons hired by the Service on or after July 1, 1993 shall be members of the new personnel system.

(3) State employees who transfer to the Service's new personnel system shall, unless fairly compensated for the leave by the Service, retain vacation leave, sick leave, and personal and compensatory leave earned prior to the date of transfer until the time that the leave would normally expire under the regulations adopted under the State Personnel and Pensions Article.

(4) The Director and the Secretary of Personnel will use their combined resources to facilitate, prior to January 1, 1995, the placement, reassignment, or transfer of Service State employees who elect not to transfer to the new personnel system.

(5) Classified State employees who elect not to transfer to the new personnel system shall retain all rights and privileges of the State Personnel Management System until January 1, 1995.

(6) State employees who are not classified in the State Personnel Management System who elect not to transfer to the new personnel system shall retain such rights and privileges as existed on July 1, 1993, until January 1, 1995.

(7) The Service shall permit continuation of the rights of employee organizations in existence on July 1, 1993, to represent employees and to collect union dues through a checkoff system. If State employees in general are authorized by law to enter into binding arbitration or binding collective bargaining agreements establishing wages, hours, pension rights, or working conditions for State employees, the Service may enter into the same type of agreements for employees of the Service.

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