

## Article - State Personnel and Pensions

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§5-213.

(a) Within 10 days after receiving a decision under § 5-212 of this subtitle, a complainant may appeal the decision in writing to the Secretary.

(b) Within 30 days after an appeal is received:

(1) the Coordinator:

(i) shall review the complaint and the decision being appealed;

(ii) may conduct any necessary investigation; and

(iii) shall recommend to the Secretary or designee a finding of whether a violation of this subtitle has occurred; and

(2) the Secretary or designee shall:

(i) take the action described in subsection (c)(1) or (c)(2) of this section; and

(ii) issue to the parties a written decision that includes notice of any remedial action taken.

(c) (1) If the Secretary or designee determines that a violation has not occurred, the Secretary or designee shall dismiss the complaint.

(2) If the Secretary or designee determines that a violation has occurred, the Secretary or designee shall take appropriate remedial action.

(d) As remedial action for a violation of § 5-208 of this subtitle, the Secretary or designee may:

(1) order the removal of detrimental information from the complainant's State personnel records;

(2) require the head of the principal unit to:

(i) hire, promote, or reinstate the complainant or end the complainant's suspension from employment;

(ii) award the complainant back pay up to the day of the violation;

(iii) grant the complainant leave or seniority;

(iv) take appropriate disciplinary action against any individual who

caused the violation; or

(v) take any other remedial action that the Secretary or designee considers appropriate.

(e) The decision of the Secretary or designee is final.

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