

Chapter 141

(House Bill 260)

AN ACT concerning

State Personnel – Classification of Positions in the State Personnel Management System

FOR the purpose of requiring the Secretary of Budget and Management to classify certain positions in the State Personnel Management System; repealing a provision of law that requires the Secretary to provide certain training regarding certain standards and procedures; requiring the Secretary to provide certain advice; authorizing the Secretary to delegate authority to the head of a principal unit to classify positions for the principal unit under certain circumstances; requiring the head of a principal unit to classify certain positions if the Secretary delegates classification authority to the head of the principal unit; altering the circumstances under which the Secretary must conduct position classification audits; authorizing, instead of requiring, the Secretary to conduct certain operational audits; making clarifying and conforming changes; and generally relating to the classification of positions in the State Personnel Management System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–202 and 4–203
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

4–202.

The Secretary shall:

(1) **CLASSIFY SKILLED SERVICE POSITIONS, PROFESSIONAL SERVICE POSITIONS, MANAGEMENT SERVICE POSITIONS, AND EXECUTIVE SERVICE POSITIONS;**

(2) establish standards and general procedures to be used to classify positions in the skilled service, professional service, management service, and executive service; and

[(2)] (3) provide [training] **ADVICE** and guidance on the use of those standards and procedures.

4–203.

(a) (1) THE SECRETARY MAY DELEGATE AUTHORITY TO THE HEAD OF A PRINCIPAL UNIT TO CLASSIFY POSITIONS FOR THE PRINCIPAL UNIT IN ACCORDANCE WITH STANDARDS AND PROCEDURES ESTABLISHED BY THE SECRETARY IN ACCORDANCE WITH § 4–202(2) OF THIS SUBTITLE.

(2) [The] IF THE SECRETARY DELEGATES CLASSIFICATION AUTHORITY TO THE HEAD OF A PRINCIPAL UNIT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE head of [a] THE principal unit shall:

(I) submit for the Secretary’s approval a position classification plan for classifying positions in the **PRINCIPAL** unit that are in the skilled service, professional service, and management service[.]; **AND**

[(b) The head of a principal unit or designee shall]

(II) classify skilled service positions, professional service positions, and management service positions in the **PRINCIPAL** unit in accordance with the approved classification plan.

[(c)] (B) (1) Each employee in a position shall assume the classification title given the class to which that position belongs.

(2) The Secretary, the Comptroller, and the Treasurer shall use these classification titles in all relevant records and communications.

[(d)] (C) To ensure that positions in the State Personnel Management System are classified properly, the Secretary:

(1) shall conduct position classification audits at least once every 3 years **FOR ANY CLASSIFICATION ACTIVITY PERFORMED IN ACCORDANCE WITH SUBSECTION (A)(2) OF THIS SECTION;** and

(2) [shall] MAY conduct operational audits of classification practices and records in **PRINCIPAL** units at least once every 3 years.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010.

Approved by the Governor, April 13, 2010.