

## **Chapter 03 Professionalism**

### **Section 02 - Conduct**

#### **A. Purpose.**

The purpose of this section is to identify the principal statutory, regulatory, and policy authorities that establish employee conduct standards.

#### **B. Scope.**

(1) Unless otherwise specified in law, regulation, or policy, the standards referenced in this section apply to all employees.

(2) The provisions of this section:

(a) Do not constitute legal advice; and

(b) Consist of a sampling of law, regulation, and policy related to employee conduct.

(3) An employee may obtain more information regarding conduct standards, disciplinary action procedures, and appeals of disciplinary actions through the hyperlinks provided below.

#### **C. Maryland Statute.**

(1) The Annotated Code of Maryland:

(a) Contains Maryland statutes;

(b) Is comprised of articles, titled by subject matter;

(c) Includes annotations based on State and federal cases arising in Maryland; and

(d) Is available online through the Maryland State Law Library website, at <http://www.lawlib.state.md.us/>.

(2) Among the statutes related to employee conduct standards are:

(a) State Government Article, Title 15, "Public Ethics"; and

(b) State Personnel and Pensions Article, Title 11, "Disciplinary Actions, Layoffs, and Employment Terminations in State Personnel Management System".

#### **D. Regulation.**

(1) State regulations are contained in the multi-volume Code of Maryland Regulations (COMAR).

(2) COMAR 17.04.05. includes disciplinary actions related to employee performance and misconduct.

(3) COMAR is available online through:

(a) SafetyNet, at <http://intranet.dpscs.mdstate/>; and

(b) The Division of State Documents link, Secretary of State website, at <http://sos.state.md.us/>.

#### **E. Executive Order.**

An issued executive order:

(1) Is signed by the Governor; and

(2) With limited exception:

(a) Has the force and effect of law; and

(b) Is available online through the website addresses listed in D(3).

#### **F. Departmental Policy.**

(1) The Standards of Conduct and Internal Administrative Disciplinary Process Manual:

(a) Includes conduct standards applicable to departmental employees; and

(b) Is in addition to the statutory, regulatory, and executive order conduct standards that apply to all State employees.

(2) Secretary Directives.

(a) Unless otherwise specified, Secretary Directives apply to all employees.

(b) Secretary Directives contain policies on a variety of subjects, including:

(i) Personal Appearance; and

(ii) The Code of Fair Employment Practices and Policy on Sexual Misconduct.

(c) Secretary's Directives are available online through SafetyNet, at <http://intranet.dpscs.mdstate/>.