

CHAPTER 31

(Senate Bill 25)

AN ACT to repeal and re-enact, with amendments, Section 76 of Article 100 of the Annotated Code of Maryland (1957 Edition), title "~~Work—Hours Of, In Factories~~", sub title "~~State Employees~~", TITLE "WORK, LABOR AND EMPLOYMENT", SUB-TITLE "STATE EMPLOYEES", SAID SECTION HAVING BEEN AMENDED BY CHAPTER 6 OF THE ACTS OF 1958", relating generally to payment of overtime compensation to certain State employees.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 76 of Article 100 of the Annotated Code of Maryland (~~1957 Edition~~), title "~~Work—Hours Of, In Factories~~", sub title "~~State Employees~~", ~~be and it is hereby repealed and re-enacted, with~~ (1957 EDITION), TITLE "WORK, LABOR AND EMPLOYMENT", SUB-TITLE "STATE EMPLOYEES", SAID SECTION HAVING BEEN AMENDED BY CHAPTER 6 OF THE ACTS OF 1958, BE AND IT IS HEREBY REPEALED AND RE-ENACTED, WITH amendments, to read as follows:

76. (a) ~~Employees Generally.~~—Except as otherwise provided in this section, every State employee except per diem and hourly employees who work in excess of ~~forty four (44)~~ *forty (40)* hours in any week shall receive extra compensation for such hours worked in excess of that time. The amount of compensation for such excess ~~hours~~ shall be computed by dividing the *bi-weekly* compensation by ~~forty four~~ *eighty* and multiplying the resulting quotient by the number of hours in excess of said ~~forty four~~ *forty* hours.

~~(b) Employees on "shift duty".~~—For those State employees who work in or for the several State hospitals, mental institutions and penal or custodial institutions, or whose work in or for any other department, board, bureau, commission or agency requires that they be on "shift duty" to provide a continuous 24-hour a day seven-day week schedule of operation, the work week shall be set at ~~forty (40)~~ hours. Any such employees who works in excess of ~~forty (40)~~ hours in any week shall receive compensation for such hours worked in excess of that time. The amount of compensation for such excess shall be computed by dividing the weekly compensation by ~~forty~~ and multiplying the resulting quotient by the number of hours worked in excess of ~~forty hours.~~

~~(c)~~ (b) ~~Supervisory employees.~~—The executive head of every department, bureau, board, commission or other agency of the State, with the approval of the State Commissioner of Personnel, is authorized and empowered to designate those *bona fide* supervisory employees *who actually exercise supervisory control over a major function* within the respective department, bureau, board, commission or

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

Strike out indicates matter stricken out of bill.