

Volume and 1968 Supplement), title "Work, Labor, and Employment", sub-title "State Employees", to provide for payment of overtime compensation to State employees working in excess of the normal work week for the department on a straight time basis where the hours worked do not exceed forty (40) hours per week, and to provide for overtime compensation at one and one-half times the hourly rate for hours worked in excess of forty (40) hours per week and providing further an alternative method of computing overtime for certain State departments and providing for certain exceptions to the coverage provided.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 76 of Article 100 of the Annotated Code of Maryland (1964 Replacement Volume and 1968 Supplement), title "Work, Labor, and Employment", sub-title "State Employees" be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

76. Overtime compensation of employees.

(a) Except as otherwise provided in this section, every State employee [except per diem and hourly employees] who works in excess of [forty (40) hours in any week] *the normal work week for his department, bureau, board, commission or agency 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 biweekly compensation by eighty and multiplying the resulting quotient by the number of hours in excess of said forty hours.] in the following manner:*

(1) *Any work performed in excess of the department's normal work week but not in excess of forty (40) hours shall be computed by dividing the weekly compensation by the number of hours in the normal work week and multiplying the resulting quotient by the number of hours worked in excess of the normal work week.*

(2) *Any work performed in excess of forty (40) hours per week shall be compensated at one and one-half times the hourly rate established by dividing the weekly compensation by the number of hours in the normal work week; provided, however, that the department may compute overtime due on the basis of an eighty (80) hour bi-weekly period. On this basis, overtime shall be paid at the rate of one and one-half times the regular rate for all hours worked beyond eight (8) hours in any one day and one and one-half times the regular rate for all hours worked over eighty (80) in any work period of fourteen (14) consecutive days; provided, however, that the bi-weekly method of computing overtime shall not be used by the State educational institutions.*

(b) 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 [other] agency who shall not be subject to [the provisions of a forty hour week] *overtime compensation but, if authorized by the department head, may be compensated by compensatory time.* The State Commissioner of Personnel is authorized to adopt and promulgate reasonable rules