

## AN ACT concerning

## Wage and Hour Law - Definition of Employees

FOR the purpose of modifying the definition of certain individuals excluded from classification of "employee" in the State's Wage and Hour Laws.

BY repealing and re-enacting, with amendments,

Article 100 - Work, Labor and Employment  
 Section 82(e) (1)  
 Annotated Code of Maryland  
 (1964 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 82(e) (1) of Article 100 - Work, Labor and Employment, of the Annotated Code of Maryland (1964 Replacement Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 100 - Work, Labor and Employment

82.

(e) "Employee" includes any individual employed by an employer but shall not include:

(1) Any individual employed in agriculture[;], IF

(I) THE INDIVIDUAL IS EMPLOYED BY AN EMPLOYER WHO DID NOT USE MORE THAN 500 MAN-DAYS OF AGRICULTURAL LABOR DURING ANY CALENDAR QUARTER DURING THE PRECEDING CALENDAR YEAR, OR

(II) THE INDIVIDUAL IS THE PARENT, SPOUSE, CHILD OR OTHER MEMBER OF HIS EMPLOYER'S IMMEDIATE FAMILY, OR

(III) THE INDIVIDUAL

(A) IS EMPLOYED AS A HAND-HARVEST LABORER AND IS PAID ON A PIECE RATE BASIS IN AN OPERATION WHICH HAS BEEN, AND IS CUSTOMARILY AND GENERALLY RECOGNIZED AS HAVING BEEN, PAID ON A PIECE RATE BASIS IN THE REGION OF EMPLOYMENT,

(B) COMMUTES DAILY FROM HIS PERMANENT RESIDENCE TO THE FARM ON WHICH HE IS EMPLOYED, AND