

Section 94(j)  
Annotated Code of Maryland  
(1964 Replacement Volume and 1976 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 94 (g) of Article 100 - Work, Labor and Employment, of the Annotated Code of Maryland (1964 Replacement Volume and 1976 Supplement) be and it is hereby repealed:

Article 100 - Work, Labor and Employment

94.

[ (g) The Commissioner of Labor and Industry may require a written complaint of the violation of this subtitle, and with the signed and written consent of the employee, may institute proceedings to collect any moneys unlawfully withheld. The proceedings shall be instituted in an appropriate court of civil jurisdiction in the political subdivision in which the violation occurred. The Attorney General of this State shall represent the Commissioner of Labor and Industry in the proceedings. Any wages found to be unlawfully withheld and recovered from an employer shall be paid to the employee entitled thereto without cost to the employee. The Commission shall not be required to pay filing fees or costs of any nature in connection with any action or proceeding under this section. ]

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 94 (g) be and it is hereby added to Article 100 - Work, Labor and Employment, of the Annotated Code of Maryland (1964 Replacement Volume and 1976 Supplement) to read as follows:

Article 100 - Work, Labor and Employment

94.

(G) THE COMMISSIONER OF LABOR AND INDUSTRY, UPON WRITTEN COMPLAINT BY AN EMPLOYEE OF AN ALLEGED VIOLATION OF THIS SUBTITLE, MAY CAUSE AN INVESTIGATION TO BE MADE AS TO THE EXISTENCE OF THE ALLEGED VIOLATION. IF THE COMMISSIONER DETERMINES THAT A VIOLATION EXISTS:

(1) THE COMMISSIONER IS AUTHORIZED TO ENDEAVOR TO RESOLVE ANY ISSUE INVOLVED UNDER SAID VIOLATION BY INFORMAL METHODS OF MEDIATION AND CONCILIATION.

(2) THE COMMISSIONER MAY INSTITUTE, WITH THE WRITTEN CONSENT OF THE EMPLOYEE, ACTION ON BEHALF OF SUCH EMPLOYEE IN ANY COURT OF COMPETENT JURISDICTION IN THE SUBDIVISION IN WHICH THE VIOLATION OCCURRED, TO COLLECT ANY MONEYS UNLAWFULLY WITHHELD.