

BY adding to

Article 64A - Merit System
Section 37(g)
Annotated Code of Maryland
(1972 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 37(g) and (h) of Article 64A - Merit System, of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 64A - Merit System

37.

(G) (1) AN EMPLOYEE WHO, IN THE ACTUAL PERFORMANCE OF HIS JOB DUTIES, SUSTAINS AN OCCUPATIONAL INJURY OR ACCIDENT THAT IS NOT A RESULT OF HIS NEGLIGENCE ACCIDENTAL PERSONAL INJURY, AS DEFINED UNDER ARTICLE 101, WHICH WOULD BE COMPENSABLE UNDER THE MARYLAND WORKMEN'S COMPENSATION LAW IN ARTICLE 101 OF THE CODE, SHALL BE GRANTED ACCIDENT LEAVE WITH FULL PAY IF, AFTER MEDICAL EXAMINATION, A PHYSICIAN CERTIFIES THAT THE INJURY OR ACCIDENT DISABLES THE EMPLOYEE.

(2) ACCIDENT LEAVE SHALL BE GRANTED FROM THE DATE OF THE JOB RELATED INJURY UNTIL A PHYSICIAN CERTIFIES THAT THE EMPLOYEE IS HEALED AND PHYSICALLY ABLE TO RETURN TO WORK, BUT MAY NOT BE EXTENDED BEYOND ONE YEAR FROM THE INJURY DATE. THE EMPLOYER'S PHYSICIAN MAY EXAMINE THE INJURED EMPLOYEE PERIODICALLY TO DETERMINE THE PROGRESS OF AND LENGTH OF TIME NECESSARY FOR HIS RECOVERY.

(3) THE INJURED EMPLOYEE SHALL NOT RECEIVE TEMPORARY TOTAL BENEFITS UNDER WORKMEN'S COMPENSATION WHILE RECEIVING FULL PAY UNDER THIS SECTION.

~~(3) THE SECRETARY SHALL DETERMINE IF AN INJURY OR ACCIDENT FOR WHICH AN EMPLOYEE TAKES THE LEAVE IS AN INJURY OR ACCIDENT THAT OCCURRED IN THE PERFORMANCE OF HIS JOB.~~

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 29, 1978.