

Annotated Code of Maryland
(1979 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 100 - Work, Labor and Employment

76.

(a) Except as otherwise provided in this section, every State employee who works in excess of 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 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 biweekly 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 biweekly method of computing overtime shall not be used by the State educational institutions.]

(1) PAYMENT FOR TIME WORKED IN EXCESS OF THE POSITION'S NORMAL WORK WEEK BUT NOT IN EXCESS OF 40 HOURS SHALL BE MADE AT THE EMPLOYEE'S USUAL HOURLY RATE OR RATES.

(2) PAYMENT FOR TIME WORKED IN EXCESS OF 40 HOURS IN ANY WEEK SHALL BE MADE AT TIME AND ONE-HALF THE EMPLOYEE'S REGULAR HOURLY RATE. THE REGULAR HOURLY RATE FOR THE WEEK IS DETERMINED BY DIVIDING THE TOTAL REGULAR PAY FOR ALL HOURS WORKED IN THE WEEK BY THE TOTAL HOURS WORKED.

(3) PAYMENT MAY BE COMPUTED ON THE BASIS OF AN 80 HOUR BIWEEKLY PERIOD IN LIEU OF A 40-HOUR WORKWEEK. PAYMENT SHALL THEN BE MADE AT TIME AND ONE-HALF THE EMPLOYEE'S REGULAR RATE FOR ALL HOURS WORKED IN EXCESS OF 80 HOURS IN THE BIWEEKLY PERIOD, OR AT TIME AND ONE-HALF THE REGULAR HOURLY RATE FOR ALL HOURS WORKED IN EXCESS OF 8 HOURS EACH DAY, WHICHEVER IS GREATER. THE REGULAR HOURLY RATE IS DETERMINED AS IN PARAGRAPH (2), BUT