

CHAPTER 372

(House Bill 83)

AN ACT concerning

State Employees - Overtime Compensation Alternative

FOR the purpose of authorizing the Secretary of Personnel to provide for certain State employees to receive compensatory time in lieu of overtime under certain conditions; and providing for certain regulations.

BY repealing and reenacting, with amendments,

Article 100 - Work, Labor and Employment
Section 76(a)
Annotated Code of Maryland
(1985 Replacement Volume and 1988 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) 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) For employees of hospitals and domiciliary care facilities for the ill, aged, or handicapped, 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