

Annotated Code of Maryland
(1991 Volume and 1992 Supplement)

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

Article - Labor and Employment

3-507.

(a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner:

- (1) may try to resolve any issue involved in the violation informally by mediation;
- (2) with the written consent of the employee, may ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and
- (3) may bring an action on behalf of an employee in the county where the violation allegedly occurred.

~~(B) IF, WITHIN 10 DAYS OF THE FILING OF A COMPLAINT BY THE EMPLOYEE WITH THE COMMISSIONER, NO ACTION IS INITIATED BY THE COMMISSIONER, AN EMPLOYEE MAY BRING AN ACTION FOR VIOLATION OF THIS SUBTITLE IN THE COUNTY WHERE THE VIOLATION ALLEGEDLY OCCURRED.~~

~~[(b)]~~ (C) (1) If, in an action under subsection (a) OR (B) of this section, a court finds that an employer withheld the wage of an employee in violation of this subtitle and not as a result of a bona fide dispute, the court may award the employee an amount not exceeding 3 times the wage, AND REASONABLE COUNSEL FEES AND OTHER COSTS.

(2) If wages of an employee are recovered under SUBSECTION (A) OF this section, they shall be paid to the employee without cost to the employee.

3-507.1.

(A) NOTWITHSTANDING ANY REMEDY AVAILABLE UNDER § 3-507 OF THIS SUBTITLE, IF AN EMPLOYER FAILS TO PAY AN EMPLOYEE IN ACCORDANCE WITH § 3-502 OR § 3-505 OF THIS SUBTITLE, AFTER 2 WEEKS HAVE ELAPSED FROM THE DATE ON WHICH THE EMPLOYER IS REQUIRED TO HAVE PAID THE WAGES, THE EMPLOYEE MAY BRING AN ACTION AGAINST THE EMPLOYER TO RECOVER THE UNPAID WAGES.

(B) IF, IN AN ACTION UNDER SUBSECTION (A) OF THIS SECTION, A COURT FINDS THAT AN EMPLOYER WITHHELD THE WAGE OF AN EMPLOYEE IN VIOLATION OF THIS SUBTITLE AND NOT AS A RESULT OF A BONA FIDE DISPUTE, THE COURT MAY AWARD THE EMPLOYEE AN AMOUNT NOT EXCEEDING 3 TIMES THE WAGE, AND REASONABLE COUNSEL FEES AND OTHER COSTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.