

reflect the broad reference in former Art. 64A, § 37B(a) to any "State employee ... employed by any State agency" of any "branc[h]". The State Personnel Article Review Committee calls this addition to the attention of the General Assembly.

In subsection (a) of this section, the reference to any unit with an "independent personnel system" is added for clarity and for consistency with the express application of this subtitle to the otherwise independent judicial and legislative branches of State government.

Defined term: "Contractual employee" § 1-101

#### 7-702. REGULATIONS.

THE SECRETARY SHALL ADOPT REGULATIONS THAT PROVIDE FOR WORK SCHEDULES TO ALLOW AN EMPLOYEE WHOSE RELIGIOUS BELIEFS REQUIRE ABSENCE FROM WORK TO PERFORM OPTIONAL, COMPENSATORY WORK OUTSIDE OF THE EMPLOYEE'S REGULAR WORK HOURS TO OFFSET THE ABSENCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 37B(b)(1).

The phrase "optional, compensatory work outside of the employee's regular work hours to offset the absence" is substituted for the former phrase "work for time lost in order to observe those religious requirements" to clarify the offsetting nature of compensatory work.

Defined term: "Secretary" § 1-101

#### 7-703. COMPENSATORY WORK.

##### (A) BY EMPLOYEES ENTITLED TO OVERTIME PAY.

IF AN EMPLOYEE WHO IS ENTITLED TO OVERTIME PAY ELECTS TO PERFORM COMPENSATORY WORK UNDER THIS SECTION:

(1) FOR ANY WORKWEEK IN WHICH THE EMPLOYEE WORKS 40 HOURS OR LESS, EACH HOUR OF COMPENSATORY WORK OFFSETS 1 HOUR OF ABSENCE FOR RELIGIOUS OBSERVANCE; AND

(2) FOR ANY WORKWEEK IN WHICH THE EMPLOYEE WORKS MORE THAN 40 HOURS, EACH HOUR OF COMPENSATORY WORK OVER 40 HOURS OFFSETS 1.5 HOURS OF ABSENCE FOR RELIGIOUS OBSERVANCE.

##### (B) BY EMPLOYEES EXEMPT FROM OVERTIME PAY.

IF AN EMPLOYEE WHO IS EXEMPT FROM OVERTIME PAY ELECTS TO PERFORM COMPENSATORY WORK UNDER THIS SECTION, EACH HOUR OF COMPENSATORY WORK OFFSETS 1 HOUR OF ABSENCE FOR RELIGIOUS OBSERVANCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 37B(b)(2).