

In subsection (d)(3) of this section, the term "disabled" is added to conform to similar usage elsewhere in this title. See General Revisor's Note to Subtitle 5 of this title.

Defined term: "Probation" § 1-101

7-903. REGULATIONS.

(A) IN GENERAL.

THE SECRETARY SHALL ADOPT REGULATIONS GOVERNING FAMILY LEAVE AND SEASONAL LEAVE.

(B) CONTENTS.

THE REGULATIONS ADOPTED BY THE SECRETARY:

(1) SHALL PROVIDE FOR THE TIMING AND GRANTING OF REQUESTS FOR FAMILY AND SEASONAL LEAVE;

(2) SHALL LIMIT THE COMBINED FAMILY AND SEASONAL LEAVE FOR AN EMPLOYEE TO A MAXIMUM OF 12 WEEKS IN ANY 12-MONTH PERIOD; AND

(3) MAY REQUIRE AN EMPLOYEE TO HAVE EXHAUSTED OTHER AVAILABLE LEAVE BEFORE TAKING FAMILY OR SEASONAL LEAVE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 37C(d)(1) and (3) and the first clause of § 37C(c).

In subsection (a) of this section, the broader term "governing" is substituted for the former, narrower reference to "establishing procedures", to reflect the provisions of subsection (b) of this section that extend beyond mere "procedures".

In subsection (b)(3) of this section, the reference to "other available leave" is substituted for the former reference to "accrued leave" for clarity and to accommodate, for example, personal leave, which is not ordinarily referred to as being "accrued".

Defined term: "Secretary" § 1-101

7-904. PRIOR APPROVAL REQUIRED.

(A) IN GENERAL.

AN EMPLOYEE MAY USE FAMILY LEAVE OR SEASONAL LEAVE ONLY AFTER OBTAINING APPROVAL FROM THE EMPLOYEE'S APPOINTING AUTHORITY.

(B) FACTORS IN DECISION.

THE APPOINTING AUTHORITY SHALL DETERMINE, ON A CASE-BY-CASE BASIS, THE PRACTICABILITY OF THE REQUESTED LEAVE BASED ON: