

Subtitle 3. Overtime Compensation.

[6-301.] 8-301.

(a) Except as provided in subsection (b) of this section, in [§ 6-309] § 8-309 of this subtitle, or otherwise by law, this subtitle applies to[:] ALL EMPLOYEES OVER WHOM THE SECRETARY HAS AUTHORITY TO ADMINISTER PAY.

[(1) all employees, including classified, unclassified, full-time, part-time, permanent, temporary, and contractual employees, of all units in the executive branch of State government, including any unit with an independent personnel system; and

(2) all classified service employees of the District Court of Maryland.]

(b) This subtitle does not apply to a law enforcement employee of the Investigative Services Unit of the State Comptroller's office.

[6-302.] 8-302.

(a) This subtitle shall be interpreted and applied, to the extent applicable, in accordance with the federal Fair Labor Standards Act.

(b) All employees subject to this subtitle are entitled to the greater of:

(1) the benefits that are provided in this subtitle; or

(2) to the extent applicable, the benefits required by the federal Fair Labor Standards Act.

[6-303.] 8-303.

(a) Except as otherwise provided in this subtitle, an employee who works more than the normal workweek for that employee's unit is entitled to compensation for that overtime work in the form of:

(1) payment as provided in [§ 6-305] § 8-305 of this subtitle; or

(2) compensatory time as provided in [§ 6-307] § 8-307 of this subtitle.

(b) The Secretary shall adopt regulations to prevent:

(1) the granting of unnecessary overtime; and

(2) the failure to grant overtime compensation to an eligible employee.

[6-304.] 8-304.

(a) Except as provided in subsection (b) of this section, an employee's regular hourly rate of pay is computed for purposes of this subtitle by dividing the employee's total regular weekly pay by the total number of hours in the employee's normal workweek.

(b) The regular hourly rate of pay for an employee of a hospital or domiciliary care facility for the ill, aged, or disabled may be computed for purposes of this subtitle by dividing the employee's total regular 2-week pay by the total number of hours in the employee's normal 2-week work period.