

(I) THE UNITED STATES DEPARTMENT OF LABOR REVOKES THE FEDERAL CERTIFICATE; OR

(II) AT ANY TIME BEFORE REVOCATION BY THE DEPARTMENT OF LABOR AND AFTER AN INVESTIGATION AND HEARING, THE COMMISSIONER FINDS GOOD CAUSE TO REVOKE THE ACCEPTANCE.

(2) THE COMMISSIONER SHALL SEND NOTICE OF A HEARING UNDER THIS SUBSECTION, BY CERTIFIED MAIL, TO THE HOLDER OF THE FEDERAL CERTIFICATE AT LEAST 30 DAYS BEFORE THE HEARING.

REVISOR'S NOTE: Subsection (a) of this section is new language added to allow concise reference to a certificate that the United States Department of Labor issues under 29 U.S.C. § 214(c).

Subsections (b) through (f) of this section are new language derived without substantive change from former Art. 100, § 85(b).

In subsection (d)(1)(i) of this section, the reference to "employees of the workshop" is substituted for the former phrases "upon the circumstances of the individual case", to clarify that the Division has interpreted the former words "individual case" to refer to an establishment. Accordingly, in subsection (d)(1)(ii) of this section, the phrase "for the workshop" is added, since a federal certificate is accepted "[i]n lieu of the issuance of [State] certificates".

In subsection (d)(1)(iii)2 of this section, the reference to not being "eligible" for a federal certificate is substituted for the former reference to the certificate not being "applicable", in light of the requirement for acceptance under subsection (d)(2) of this section.

In subsection (f)(2) of this section, the word "written", which formerly modified the word "notice", is deleted as unnecessary, since the notice must be sent by certified mail.

As to procedural requirements for a hearing under this section, see Title 10, Subtitle 2 of the State Government Article.

Defined terms: "Commissioner" § 3-101

"Employ" § 3-101 "Federal Act" § 3-401

"Wage" § 3-401

3-415. PAYMENT OF OVERTIME.

(A) GENERAL REQUIREMENT.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EACH EMPLOYER SHALL PAY AN OVERTIME WAGE OF AT LEAST 1.5 TIMES THE USUAL HOURLY WAGE, COMPUTED IN ACCORDANCE WITH § 3-420 OF THIS SUBTITLE.

(B) EXCEPTIONS FOR EMPLOYERS.