

REVISOR'S NOTE: This section is new language derived without substantive change from items (a), (b), (d), (e), (g), (h), (i), and (k)(2), the first clause of item (c), and, except as it related to computation of overtime, the introductory language of former Art. 100, § 83(3).

Subsection (a) of this section is revised as a duty of an "employer", rather than a right of "employees as may be subject to the provisions of this subtitle", to conform to § 3-413 of this subtitle. Only employees of an "employer", as that term is defined in § 3-401, are subject to this subtitle. Accordingly, in the introductory language of subsections (b) and (c) of this section, the defined term "employer" is substituted for the former word "employees".

In subsection (a) of this section, the phrase "at least" is added to state expressly that which only was implied in the former law — i.e., employers may pay more than the minimum overtime wage.

In subsections (b)(1) and (c)(1) of this section, the specific references to "49 U.S.C. § 10501" and "49 U.S.C. § 3102" are substituted for the former references to "Part I of the Interstate Commerce Act" and "§ 204 of the Federal Motor Carrier Act, 1935", respectively, for accuracy.

In subsection (b)(6) and (7) of this section, the more precise words "not for profit" are substituted for the former word "nonprofit", for clarity.

Defined terms: "Employer" § 3-401

"Wage" § 3-401

3-416. RESERVED.

3-417. RESERVED.

PART IV. COMPUTATION OF WAGE.

3-418. COST OF ADVANTAGES.

(A) "BOARD, LODGING, OR OTHER ADVANTAGE" DEFINED.

IN THIS SECTION, "BOARD, LODGING, OR OTHER ADVANTAGE" MEANS A FACILITY OR SERVICE THAT AN EMPLOYER CUSTOMARILY PROVIDES TO AN EMPLOYEE.

(B) INCLUSION IN WAGE.

UNLESS A COLLECTIVE BARGAINING AGREEMENT EXCLUDES BOARD, LODGING, OR OTHER ADVANTAGE FROM THE WAGE OF AN EMPLOYEE, AN EMPLOYER MAY INCLUDE, AS PART OF THE WAGE, THE COST THAT THE EMPLOYER INCURS IN PROVIDING THE ADVANTAGE TO THE EMPLOYEE.

(C) COST.