

Defined terms: "Commissioner" § 3-101

"Employer" § 3-501

"State" § 1-101

"Wage" § 3-501

3-507. ENFORCEMENT.

(A) IN GENERAL.

WHENEVER THE COMMISSIONER DETERMINES THAT THIS SUBTITLE HAS BEEN VIOLATED, THE COMMISSIONER:

(1) MAY TRY TO RESOLVE ANY ISSUE INVOLVED IN THE VIOLATION INFORMALLY BY MEDIATION;

(2) WITH THE WRITTEN CONSENT OF THE EMPLOYEE, MAY ASK THE ATTORNEY GENERAL TO BRING AN ACTION IN ACCORDANCE WITH THIS SECTION ON BEHALF OF THE EMPLOYEE; AND

(3) MAY BRING AN ACTION ON BEHALF OF AN EMPLOYEE IN THE COUNTY WHERE THE VIOLATION ALLEGEDLY OCCURRED.

(B) AWARD.

(1) IF, IN AN ACTION UNDER SUBSECTION (A) OF THIS SECTION, A COURT FINDS THAT AN EMPLOYER WITHHELD THE WAGE OF AN EMPLOYEE IN VIOLATION OF THIS SUBTITLE AND NOT AS A RESULT OF A BONA FIDE DISPUTE, THE COURT MAY AWARD THE EMPLOYEE AN AMOUNT NOT EXCEEDING 3 TIMES THE WAGE.

(2) IF WAGES OF AN EMPLOYEE ARE RECOVERED UNDER THIS SECTION, THEY SHALL BE PAID TO THE EMPLOYEE WITHOUT COST TO THE EMPLOYEE.

REVISOR'S NOTE: Subsections (a)(1)(i) and (2) and (b) of this section are new language derived without substantive change from the second, fourth, fifth, and sixth sentences and, as it related to venue, the third sentence of former Art. 100, § 94(g).

In subsection (a)(1)(i) of this section, the former word "conciliation" is deleted as included in the word "mediation".

In subsection (a)(2) of this section, the former phrases "in any court of competent jurisdiction" are deleted as surplusage.

The fifth sentence of former Art. 100, § 94(g), which authorized the Attorney General to prosecute all civil cases referred by the Commissioner under this subtitle, is deleted as unnecessary in light of Md. Constitution, Art. V, § 3 and SG § 6-106.