

In item (1) of this section, the reference to the "governing body of a county or municipal corporation" is substituted for the former reference to a "local government" to conform to Art. 41, § 2-101(c) of the Code, which authorizes the Governor to declare a state of emergency not only on request of the governing body of a county or municipal corporation. The Governor also may declare an emergency "upon his own volition; or upon the application of the chief executive officer ... or ... the Superintendent of the Maryland State Police."

Defined term: "County" § 1-101

3-704. DAY OF REST — RETAIL AND WHOLESALE ESTABLISHMENTS.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "MANAGERIAL EMPLOYEE" MEANS AN EMPLOYEE WHO:

(I) IS NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT;

(II) AS PRIMARY DUTY OF THE EMPLOYEE, MANAGES AN ENTERPRISE OR A UNIT OF THE ENTERPRISE THAT CUSTOMARILY IS CONSIDERED A DEPARTMENT OR SUBDIVISION OF THE ENTERPRISE;

(III) CUSTOMARILY AND REGULARLY SUPERVISES AT LEAST 2 OTHER EMPLOYEES IN THE ENTERPRISE OR UNIT;

(IV) CUSTOMARILY AND REGULARLY EXERCISES DISCRETIONARY POWERS; AND

(V) MAY HIRE OR FIRE ANOTHER EMPLOYEE OR MAKES RECOMMENDATIONS THAT AFFECT THE HIRING, ADVANCEMENT, FIRING, OR ANY OTHER CHANGE IN STATUS OF ANOTHER EMPLOYEE.

(3) "PART-TIME EMPLOYEE" MEANS AN EMPLOYEE WHO IS EMPLOYED FOR A WORKWEEK OF LESS THAN 25 HOURS.

(4) "PROFESSIONAL EMPLOYEE" MEANS AN EMPLOYEE WHOSE PRIMARY DUTY IS TO WORK IN A FIELD THAT REQUIRES ADVANCED KNOWLEDGE THAT CUSTOMARILY IS ACQUIRED BY A PROLONGED COURSE OF SPECIALIZED INSTRUCTION AND STUDY.

(B) CHOICE OF EMPLOYEE.

(1) THIS SUBSECTION DOES NOT APPLY DURING AN EMERGENCY THAT A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AUTHORITY DECLARES.