

(2) AN EMPLOYEE IN A RETAIL ESTABLISHMENT MAY CHOOSE, AS A DAY OF REST, SUNDAY OR THE SABBATH OF THE EMPLOYEE UNLESS:

(I) OUTSIDE WICOMICO COUNTY, THE EMPLOYEE IS A MANAGERIAL EMPLOYEE, PROFESSIONAL EMPLOYEE, OR PART-TIME EMPLOYEE; AND

(II) IN WICOMICO COUNTY, THE EMPLOYEE IS A MANAGERIAL EMPLOYEE OR PROFESSIONAL EMPLOYEE.

(3) AN EMPLOYEE WHO CHOOSES A DAY OF REST:

(I) SHALL GIVE WRITTEN NOTICE TO THE EMPLOYER;
AND

(II) DURING THE COURSE OF EMPLOYMENT, MAY CHANGE THE DAY OF REST BY GIVING WRITTEN NOTICE OF THE CHANGE TO THE EMPLOYER AT LEAST 30 DAYS BEFORE ITS EFFECTIVE DATE.

(C) ACTION OF EMPLOYEE.

(1) THIS SUBSECTION DOES NOT APPLY TO A MANAGERIAL EMPLOYEE OR PROFESSIONAL EMPLOYEE OR, OUTSIDE WICOMICO COUNTY, A PART-TIME EMPLOYEE.

(2) IF AN EMPLOYER COMPELS AN EMPLOYEE TO WORK ON THE DAY OF REST THAT THE EMPLOYEE CHOOSES UNDER SUBSECTION (C) OF THIS SECTION, THE EMPLOYEE IS ENTITLED TO BRING AN ACTION AGAINST THE EMPLOYER TO RECOVER 3 TIMES THE REGULAR RATE OF PAY OF THE EMPLOYEE FOR EACH HOUR THE EMPLOYEE WORKS ON THAT DAY.

(D) EFFECT OF SECTION ON RIGHTS UNDER BARGAINING AGREEMENTS.

THIS SECTION MAY NOT BE APPLIED TO ABRIDGE ANY RIGHT THAT A COLLECTIVE BARGAINING AGREEMENT GRANTS TO A PART-TIME EMPLOYEE OR OTHER EMPLOYEE.

(E) EFFECT OF SECTION ON SERVICE OF PROCESS AND SALE OF ALCOHOLIC BEVERAGES.

THIS SECTION DOES NOT AFFECT THE LAWS THAT RELATE TO:

(1) THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY; OR

(2) SERVICE OF PROCESS ON SUNDAY.

(F) PROHIBITED ACTS.

AN EMPLOYER MAY NOT: