

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EMPLOYMENT IS NOT COVERED EMPLOYMENT IF PERFORMED:

(1) IN A FACILITY THAT:

(I) CARRIES OUT A PROGRAM OF REHABILITATION FOR INDIVIDUALS WHOSE EARNING CAPACITY IS IMPAIRED BY AGE, PHYSICAL OR MENTAL DISABILITY, OR INJURY; OR

(II) PROVIDES COMPENSATED WORK FOR INDIVIDUALS WHO, BECAUSE OF THEIR PHYSICAL OR MENTAL DISABILITY, CANNOT BE EMPLOYED READILY IN THE COMPETITIVE LABOR MARKET; AND

(2) BY AN INDIVIDUAL WHO RECEIVES THAT REHABILITATION OR COMPENSATED WORK.

(B) EXCEPTION.

EMPLOYMENT IS COVERED EMPLOYMENT IF PERFORMED BY A BLIND OR OTHER SEVERELY HANDICAPPED EMPLOYEE OF BLIND INDUSTRIES AND SERVICES OF MARYLAND.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(g)(7)(v)F.

In subsection (a)(1)(ii) and (2) of this section, the word "compensated" is substituted for the former word "remuneration", to conform to terminology used in other revised articles of the Code.

In subsection (a)(1)(ii) of this section, the words "physical or mental disability" are substituted for the former words "impaired physical or mental [deficiency or] capacity", to conform to subsection (a)(1)(i) of this section and to similar language e.g. in HG § 7-101(l), which describes mental retardation as a "disability" rather than a "deficiency".

In subsection (b) of this section, the word "blind" is substituted for the former word "unsighted", for clarity.

As to the substitution of the name "Blind Industries and Services of Maryland" for the former name "Maryland Workshop for the Blind", see the revisor's note to § 8-101(m) of this title.

Defined term: "Covered employment" § 8-101

8-217. INMATES.

EMPLOYMENT THAT AN INMATE OF A CUSTODIAL OR PENAL INSTITUTION PERFORMS FOR A NOT-FOR-PROFIT ORGANIZATION OR A GOVERNMENTAL ENTITY IS NOT COVERED EMPLOYMENT.