

8-1303. DEDUCTION OF WAGES AND WAIVER OF RIGHTS.

AN EMPLOYING UNIT, DIRECTLY OR INDIRECTLY, MAY NOT:

(1) ACCEPT, MAKE, OR REQUIRE A DEDUCTION FROM A WAGE TO PAY A CONTRIBUTION THAT THE EMPLOYING UNIT IS REQUIRED TO PAY; OR

(2) ACCEPT OR REQUIRE FROM AN EMPLOYEE A WAIVER OF A RIGHT TO WHICH THE EMPLOYEE IS ENTITLED UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 95A, § 16(a).

Defined terms: "Employing unit" § 8-101

"Wage" § 8-101

8-1304. FAILURE OR REFUSAL TO OBEY SUBPOENA.

A PERSON MAY NOT, WITHOUT JUST CAUSE, FAIL OR REFUSE TO OBEY A SUBPOENA ISSUED UNDER § 8-306(C) OR § 8-505(B) OF THIS TITLE IF THE PERSON HAS THE POWER TO OBEY THE SUBPOENA.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 95A, § 12(i), except as that sentence related to the penalty.

Defined term: "Person" § 1-101

8-1305. PENALTIES.

(A) \$1,000 AND 90 DAYS.

UNLESS ANOTHER PENALTY IS PROVIDED BY STATUTE, A PERSON WHO WILLFULLY VIOLATES A PROVISION OF THIS TITLE OR A REGULATION ADOPTED UNDER THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 90 DAYS OR BOTH.

(B) \$1,000 AND 90 DAYS, RESTITUTION, AND DISQUALIFICATION.

IN ADDITION TO THE PENALTY UNDER SUBSECTION (A) OF THIS SECTION, A PERSON WHO VIOLATES § 8-1301 OF THIS SUBTITLE:

(1) SHALL MAKE FULL RESTITUTION OF THE BENEFIT UNLAWFULLY RECEIVED, INCLUDING INTEREST AT A RATE OF 1.5% A MONTH FROM THE DATE THE SECRETARY NOTIFIES THE PERSON OF THE AMOUNT TO BE RECOVERED; AND