

The Committee also notes, for consideration by the General Assembly, that the reference, in subsection (b)(2) of this section, to a "day-haul operation" is unclear. The federal Migrant and Seasonal Agricultural Worker Protection Act defines "day-haul operation", but there is no similar definition in this title. See 29 U.S.C. § 1802(40).

Defined term: "Covered employee" § 9-101

9-211. HELPER.

AN INDIVIDUAL IS A COVERED EMPLOYEE IF THE INDIVIDUAL IS EMPLOYED AS A HELPER OF ANOTHER COVERED EMPLOYEE WITH THE ACTUAL OR CONSTRUCTIVE KNOWLEDGE OF THE EMPLOYER OF THE OTHER COVERED EMPLOYEE, WHETHER PAID BY THE OTHER COVERED EMPLOYEE OR THE EMPLOYER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 21(b)(1), as that item related to helpers.

The former reference to "assistants" is deleted as included in the reference to a "helper".

Defined term: "Covered employee" § 9-101

9-212. JOCKEY.

(A) SCOPE OF SECTION.

(1) THIS SECTION APPLIES TO EACH JOCKEY LICENSED BY THE MARYLAND RACING COMMISSION TO RIDE A THOROUGHBRED HORSE.

(2) THIS SECTION APPLIES ONLY AT A THOROUGHBRED RACING ASSOCIATION OR TRAINING FACILITY UNDER THE JURISDICTION OF THE MARYLAND RACING COMMISSION.

(B) COVERED EMPLOYEE.

A JOCKEY IS A COVERED EMPLOYEE WHILE PERFORMING A SERVICE IN CONNECTION WITH RACING OR TRAINING A THOROUGHBRED HORSE.

(C) EMPLOYER.

(1) FOR THE PURPOSES OF THIS TITLE, THE JOINT EMPLOYERS OF A JOCKEY WHO IS A COVERED EMPLOYEE UNDER THIS SECTION ARE:

(I) THE MARYLAND JOCKEY INJURY COMPENSATION FUND, INC.; AND

(II) EACH OWNER OR TRAINER WHO IS SUBJECT TO ASSESSMENT UNDER ARTICLE 78B, § 32 OF THE CODE AT THE TIME OF ANY OCCURRENCE FOR WHICH BENEFITS ARE PAYABLE TO THE JOCKEY UNDER THIS TITLE.