

HOUSE BILL 374

K3, P4

4lr1831

By: **Delegates McConkey, Afzali, Bates, Carter, Cluster, Elliott, Frank, McComas, McDermott, Mitchell, Myers, Norman, Serafini, and Stocksdale**

Introduced and read first time: January 23, 2014

Assigned to: Economic Matters

A BILL ENTITLED

AN ACT concerning

Labor and Employment – Training Wage for New Employees – Establishment and Payment

FOR the purpose of authorizing a county to establish a training wage for certain employees; prohibiting the training wage from being less than a certain minimum wage; authorizing an employer to pay a training wage to certain employees for a certain period of time; and generally relating to the establishment and payment of a training wage for new employees.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–413
Annotated Code of Maryland
(2008 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Labor and Employment

3–413.

- (a) In this section, “employer” includes a governmental unit.
- (b) Except as provided in **SUBSECTION (C) OF THIS SECTION OR § 3–414** of this subtitle, each employer shall pay:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) to each employee who is subject to both the federal Act and this subtitle, at least the greater of:

(i) the minimum wage for that employee under the federal Act;
or

(ii) a wage that equals a rate of \$6.15 per hour; and

(2) each other employee who is subject to this subtitle, at least:

(i) the greater of:

1. the highest minimum wage under the federal Act; or

2. a wage that equals a rate of \$6.15 per hour; or

(ii) a training wage under regulations that the Commissioner adopts that include the conditions and limitations authorized under the federal Fair Labor Standards Amendments of 1989.

(c) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A COUNTY MAY ESTABLISH A TRAINING WAGE FOR EMPLOYEES WORKING IN THE COUNTY.

(II) A TRAINING WAGE ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT BE LESS THAN:

1. FOR AN EMPLOYEE SUBJECT TO THE FEDERAL ACT, THE MINIMUM WAGE FOR THAT EMPLOYEE UNDER THE FEDERAL ACT; OR

2. FOR AN EMPLOYEE WHO IS NOT SUBJECT TO THE FEDERAL ACT, THE HIGHEST MINIMUM WAGE UNDER THE FEDERAL ACT.

(2) AN EMPLOYER MAY PAY AN EMPLOYEE A TRAINING WAGE ESTABLISHED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION FOR THE FIRST 2 YEARS OF EMPLOYMENT IF:

(I) THE COUNTY IN WHICH THE EMPLOYEE WORKS ESTABLISHED THE TRAINING WAGE; AND

(II) THE EMPLOYEE HAS NOT BEEN EMPLOYED PREVIOUSLY BY ANY EMPLOYER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.