

Article - State Personnel and Pensions

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§8-305.

(a) Except as otherwise provided in this section:

(1) payment for time worked in excess of an employee's normal workweek but not in excess of 40 hours in that workweek shall be made at the employee's regular hourly rate of pay; and

(2) payment for time worked in excess of 40 hours in a workweek shall be made at one and one-half times the employee's regular hourly rate of pay.

(b) (1) This subsection applies to those employees of a hospital or domiciliary care facility for the ill, aged, or disabled whose overtime compensation is computed on the basis of a 2-week work period under § 8-304(b) of this subtitle.

(2) For an employee subject to this subsection, payment for overtime work shall be made at the greater of:

(i) one and one-half times the employee's regular hourly rate of pay for time worked in excess of 80 hours in the 2-week work period; or

(ii) one and one-half times the employee's regular hourly rate of pay for time worked during that 2-week work period that is in excess of 8 hours in any workday.

(c) (1) This subsection applies to law enforcement and civilian employees of the Department of State Police who participate in the modified workday program established in accordance with § 2-411 of the Public Safety Article.

(2) For an employee subject to this subsection, payment for overtime work shall be made at the greater of:

(i) one and one-half times the employee's regular hourly rate of pay for time worked in excess of 40 hours in the established work period; or

(ii) one and one-half times the employee's regular hourly rate of pay for time worked during that work period that is in excess of the established workday.

(d) A unit may adopt alternate work periods as allowed by the federal Fair Labor Standards Act for the purpose of determining payment for overtime work for its law enforcement employees or fire fighters.

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