

Article - Labor and Employment

§3-1205.

(a) (1) During any period that an eligible employee takes parental leave, an employer shall maintain coverage of a group health plan for the duration of the parental leave and in the same manner that coverage would have been provided if the employee had continued in employment continuously for the duration of the parental leave.

(2) (i) An employer may recover the premium that the employer paid for maintaining coverage for an eligible employee under a group health plan during the period of parental leave if the employee fails to return to employment with the employer after the period of parental leave to which the employee is entitled has expired.

(ii) This paragraph does not apply in the case of an employee who fails to return to work because of other circumstances beyond the control of the employee.

(3) An employer may recover a premium under paragraph (2)(i) of this subsection by deducting the amount of the premium from the wages paid to the employee on the termination of employment under § 3-505 of this title.

(b) If an eligible employee works on a commission basis, an employer shall pay to the eligible employee during any period of parental leave any commission that becomes due because of work the eligible employee performed before taking parental leave.