

(PRE-FILED)

By: **Delegate Murray**
Requested: October 15, 2004
Introduced and read first time: January 12, 2005
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment - Vacation Leave - Compensation**

3 FOR the purpose of requiring certain employers to provide certain employees certain
4 compensation for any unused or accumulated vacation leave upon its expiration;
5 altering the application of a certain leave provision; and generally relating to
6 vacation leave.

7 BY repealing and reenacting, without amendments,
8 Article - Labor and Employment
9 Section 3-801
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Labor and Employment
14 Section 3-802(a)
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2004 Supplement)

17 BY adding to
18 Article - Labor and Employment
19 Section 3-803
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2004 Supplement)

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

1

Article - Labor and Employment

2 3-801.

3 (a) In this subtitle, "employer" means a person engaged in a business,
4 industry, profession, trade, or other enterprise in the State.

5 (b) "Employer" includes:

6 (1) a unit of State or local government that employs individuals who are
7 not subject to the provisions of Title 9, Subtitle 5 of the State Personnel and Pensions
8 Article; and

9 (2) a person who acts directly or indirectly in the interest of another
10 employer with an employee.

11 3-802.

12 (a) This [subtitle] SECTION applies to an employer who provides leave with
13 pay to an employee following the birth of the employee's child.

14 3-803.

15 (A) THIS SECTION APPLIES TO AN EMPLOYER WHO PROVIDES VACATION
16 LEAVE TO AN EMPLOYEE.

17 (B) AN EMPLOYER SHALL PROVIDE COMPENSATION, AT THE EMPLOYEE'S
18 REGULAR RATE OF PAY, FOR ANY UNUSED OR ACCUMULATED VACATION LEAVE
19 UPON ITS EXPIRATION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2005.