HOUSE BILL 1287

By: **Delegates Vaughn, Gaines, Ivey, Manno, and Taylor**
Introduced and read first time: February 23, 2007
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 Labor and Employment – Scheduled Pay

3 FOR the purpose of requiring employees who report to work at the request of an
4   employer, and are not offered work, to be compensated a certain amount;
5   authorizing a certain employee to bring a certain action; requiring a circuit
6   court to award reasonable attorney's fees and costs to a prevailing employee;
7   authorizing a circuit court to award certain remedies to a prevailing employee;
8   specifying that no criminal penalties may be imposed under certain
9   circumstances; and generally relating to payment for scheduled work.

10 BY adding to
11   Article – Labor and Employment
12   Section 3–710
13   Annotated Code of Maryland
14   (1999 Replacement Volume and 2006 Supplement)

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

17 Article – Labor and Employment

18 **3–710.**

19   **(A)** **AN EMPLOYEE WHO REPORTS TO WORK AT THE REQUEST OF THE**
20 **EMPLOYEE'S EMPLOYER AND IS NOT OFFERED WORK BY THE EMPLOYER SHALL**
21 **BE COMPENSATED AT THE EMPLOYEE'S REGULAR HOURLY RATE FOR THE**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

1   **GREATER OF THE EMPLOYEE'S SCHEDULED HOURS OF WORK FOR THE DAY AND**
2   **4 HOURS.**

3   **(B)   AN EMPLOYEE MAY BRING A CIVIL ACTION AGAINST AN EMPLOYER**
4   **IN A CIRCUIT COURT OF COMPETENT JURISDICTION TO ENFORCE THE**
5   **PROVISIONS OF SUBSECTION (A) OF THIS SECTION.**

6   **(C)   (1)   THE CIRCUIT COURT SHALL AWARD TO A PREVAILING**
7   **EMPLOYEE ALL REASONABLE ATTORNEY'S FEES AND COSTS.**

8   **(2)   THE CIRCUIT COURT MAY AWARD TO A PREVAILING**
9   **EMPLOYEE INJUNCTIVE RELIEF, BACK PAY, AND ANY OTHER REMEDY PROVIDED**
10 **BY LAW OR IN EQUITY.**

11   **(D)   NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO CRIMINAL**
12 **PENALTIES MAY BE IMPOSED FOR A VIOLATION OF SUBSECTION (A) OF THIS**
13 **SECTION.**

14   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2007.