

# SENATE BILL 797

K3

8lr2956

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By: **Senators Astle and Kittleman**

Introduced and read first time: February 6, 2008

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Wage Payment on Termination of Employment –**  
3 **Accrued Leave**

4 FOR the purpose of requiring an employer with a certain written policy to pay accrued  
5 leave to an employee on termination of employment only under certain  
6 circumstances; and generally relating to the payment of wages upon  
7 termination of employment.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 3–505  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2007 Supplement)

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

15 **Article – Labor and Employment**

16 3–505.

17 (A) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**  
18 **EACH** employer shall pay an employee or the authorized representative of an  
19 employee all wages due for work that the employee performed before the termination  
20 of employment, on or before the day on which the employee would have been paid the  
21 wages if the employment had not been terminated.

22 (B) **IF AN EMPLOYER HAS A WRITTEN POLICY REGARDING THE**  
23 **PAYMENT OF ACCRUED LEAVE TO AN EMPLOYEE AND THAT POLICY IS**  
24 **COMMUNICATED TO AN EMPLOYEE PRIOR TO THE TERMINATION OF**  
25 **EMPLOYMENT, THE EMPLOYER SHALL PAY ACCRUED LEAVE TO AN EMPLOYEE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ONLY IF THE EMPLOYEE IS ENTITLED TO PAYMENT FOR ACCRUED LEAVE AT**  
2 **TERMINATION UNDER THE TERMS OF THE EMPLOYER'S WRITTEN POLICY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2008.