

Chapter 163

(Senate Bill 12)

AN ACT concerning

Labor and Employment – Leave – Deployment of Family Members in the Armed Forces

FOR the purpose of authorizing certain employees to take leave from work on the day that an immediate family member is leaving for, or returning from, active duty outside the United States as a member of the armed forces of the United States; prohibiting an employer from requiring an employee to use certain leave when taking leave under this Act; authorizing an employer to require an employee who requests leave under this Act to submit certain proof to the employer; defining certain terms; and generally relating to the use of leave by employees and the deployment of immediate family members in the armed forces.

BY adding to

Article – Labor and Employment

Section 3–803

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

Article – Labor and Employment

3–803.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “EMPLOYEE” MEANS AN INDIVIDUAL WHO:

(I) IS EMPLOYED BY AN EMPLOYER TO WORK FULL-TIME OR PART-TIME;

(II) HAS WORKED FOR THE EMPLOYER FOR THE LAST 12 MONTHS; AND

(III) HAS WORKED FOR AT LEAST 1,250 HOURS DURING THE LAST 12 MONTHS.

(3) “EMPLOYER” MEANS:

(I) A PERSON THAT:

1. EMPLOYS 50 OR MORE INDIVIDUALS; AND

2. IS ENGAGED IN A BUSINESS, INDUSTRY, PROFESSION, TRADE, OR OTHER ENTERPRISE IN THE STATE;

(II) THE STATE AND ITS UNITS;

(III) A COUNTY AND ITS UNITS; OR

(IV) A MUNICIPAL GOVERNMENT IN THE STATE.

(4) “IMMEDIATE FAMILY MEMBER” MEANS A SPOUSE, PARENT, STEPPARENT, CHILD, STEPCHILD, OR SIBLING.

(B) AN EMPLOYEE MAY TAKE LEAVE FROM WORK ON THE DAY THAT AN IMMEDIATE FAMILY MEMBER OF THE EMPLOYEE IS LEAVING FOR, OR RETURNING FROM, ACTIVE DUTY OUTSIDE THE UNITED STATES AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES.

(C) AN EMPLOYER MAY NOT REQUIRE AN EMPLOYEE TO USE COMPENSATORY, SICK, OR VACATION LEAVE WHEN TAKING LEAVE UNDER THIS SECTION.

(D) AN EMPLOYER MAY REQUIRE AN EMPLOYEE REQUESTING LEAVE UNDER THIS SECTION TO SUBMIT PROOF TO THE EMPLOYER VERIFYING THAT THE LEAVE IS BEING TAKEN IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.

Approved by the Governor, May 2, 2013.