

# HOUSE BILL 909

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11r2652  
CF SB 165

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By: **Delegate Carey**

Introduced and read first time: February 2, 2021

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Healthy Working Families Act – Applicability**

3 FOR the purpose of providing that the Maryland Healthy Working Families Act does not  
4 apply to certain employees of a county board of education; and generally relating to  
5 the applicability of the Maryland Healthy Working Families Act.

6 BY repealing and reenacting, with amendments,  
7 Article – Labor and Employment  
8 Section 3–1303(a)  
9 Annotated Code of Maryland  
10 (2016 Replacement Volume and 2020 Supplement)

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

13 **Article – Labor and Employment**

14 3–1303.

15 (a) This subtitle does not apply to an employee who:

16 (1) regularly works less than 12 hours a week for an employer;

17 (2) (i) is employed in the construction industry; and

18 (ii) is covered by a bona fide collective bargaining agreement in  
19 which the requirements of this subtitle are expressly waived in clear and unambiguous  
20 terms; [or]

21 (3) (i) is called to work by the employer on an as-needed basis in a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 health or human services industry;

2 (ii) can reject or accept the shift offered by the employer;

3 (iii) is not guaranteed to be called on to work by the employer; and

4 (iv) is not employed by a temporary staffing agency; OR

5 (4) (I) IS CALLED TO WORK BY A COUNTY BOARD OF EDUCATION ON  
6 AN AS-NEEDED BASIS;

7 (II) CAN REJECT OR ACCEPT THE SHIFT OFFERED BY THE  
8 COUNTY BOARD OF EDUCATION; AND

9 (III) IS NOT GUARANTEED TO BE CALLED ON TO WORK BY THE  
10 COUNTY BOARD OF EDUCATION.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2021.