

SENATE BILL 404

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0lr3126
CF 0lr3226

By: **Senators Carozza, Hester, and West**

Introduced and read first time: January 27, 2020

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Maryland Healthy Working Families Act – Verification**

3 FOR the purpose of altering the circumstances under which an employer is authorized to
4 require an employee who uses certain sick and safe leave to provide verification that
5 the leave was used appropriately; authorizing certain employers to deny a certain
6 request to take certain sick and safe leave under certain circumstances; and
7 generally relating to the Maryland Healthy Working Families Act.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 3–1305(g)
11 Annotated Code of Maryland
12 (2016 Replacement Volume and 2019 Supplement)

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

15 **Article – Labor and Employment**

16 3–1305.

17 (g) (1) An employer may require an employee who uses earned sick and safe
18 leave to provide verification that the leave was used appropriately under subsection (a) of
19 this section if:

20 (i) the leave was used for more than two consecutive scheduled
21 shifts; or

22 (ii) 1. the employee used the leave during the period between the
23 first 107 and 120 calendar days, both inclusive, that the employee was employed by the
24 employer; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2. the [employee agreed to provide verification under terms
2 mutually agreed to by the employer and] **EMPLOYER PROVIDED WRITTEN NOTICE**
3 **ABOUT THE REQUIREMENT TO PROVIDE VERIFICATION TO** the employee at the time
4 the employee was hired by the employer.

5 (2) If an employee fails or refuses to provide verification as required by an
6 employer under:

7 (I) paragraph [(1)] **(1)(I)** of this subsection, the employer may deny
8 a subsequent request to take earned sick and safe leave for the same reason; **OR**

9 (II) **PARAGRAPH (1)(II) OF THIS SUBSECTION, THE EMPLOYER**
10 **MAY DENY THE REQUEST TO TAKE EARNED SICK AND SAFE LEAVE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2020.