

# SENATE BILL 38

K3, L6

9lr0769

(PRE-FILED)

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By: **Senator Serafini**

Requested: November 19, 2018

Introduced and read first time: January 9, 2019

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Healthy Working Families Act – Employers With On-Site Health**  
3 **Clinics – Exemption**

4 FOR the purpose of exempting from certain provisions of law governing earned sick and  
5 safe leave certain employees who regularly work at facilities at which the employers  
6 offer the employees access to certain on-site health clinics; and generally relating to  
7 earned sick and safe leave.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 3–1303(a)  
11 Annotated Code of Maryland  
12 (2016 Replacement Volume and 2018 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 3–1303.

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

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

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

20 (ii) is covered by a bona fide collective bargaining agreement in  
21 which the requirements of this subtitle are expressly waived in clear and unambiguous

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 terms; [or]

2 (3) (i) is called to work by the employer on an as-needed basis in a  
3 health or human services industry;

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

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

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

7 (4) REGULARLY WORKS AT A FACILITY AT WHICH THE EMPLOYER  
8 OFFERS THE EMPLOYEE ACCESS TO AN ON-SITE HEALTH CLINIC THAT:

9 (I) HAS OPERATING COSTS OF AT LEAST \$1,000,000 PER YEAR;  
10 AND

11 (II) PROVIDES THE EMPLOYEE ACCESS TO DISCOUNTED  
12 PRESCRIPTION DRUGS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2019.