

(II) A TRAINING WAGE UNDER REGULATIONS THAT THE COMMISSIONER ADOPTS THAT INCLUDE THE CONDITIONS AND LIMITATIONS AUTHORIZED UNDER THE FEDERAL FAIR LABOR STANDARDS ACT OF 1989.

REVISOR'S NOTE: This section is new language that combines, without substantive change, former Art. 100, § 83(1) and (2), which, until July 1, 1975, differed on the basis of whether employers had been subject to former Art. 100, § 83 on June 1, 1967. Since the distinction no longer exists, former § 83(1) and (2) is combined, and the minimum wage rates before July 1, 1975, are deleted as obsolete.

In items (1) and (2) of this section, the phrase "at least" is added to state expressly that which only was implied in the former law — i.e., employers may pay more than the minimum wage.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that it is unclear whether regulations adopted under former Art. 100, § 83(1)(c) — added by Ch. 55, Acts of 1990, and now item (2)(ii) of this section — are subject to the approval of the Advisory Committee or Wage and Hour Law. See § 2-106(c) of this article.

As to the minimum wage section of the federal Act, see 29 U.S.C. § 206.

As to regulations of the Commissioner governing a training wage, see COMAR 09.12.42.01 through .14.

Defined terms: "Commissioner" § 3-101

"Employer" § 3-401 "Federal Act" § 3-401

"Wage" § 3-401

3-414. HANDICAPPED INDIVIDUALS.

(A) "FEDERAL CERTIFICATE" DEFINED.

IN THIS SECTION, "FEDERAL CERTIFICATE" MEANS A CERTIFICATE THAT THE UNITED STATES DEPARTMENT OF LABOR ISSUES TO A WORK ACTIVITIES CENTER OR OTHER SHELTERED WORKSHOP TO ALLOW THE WORKSHOP TO PAY AN INDIVIDUAL LESS THAN THE WAGE OTHERWISE REQUIRED FOR THAT INDIVIDUAL UNDER THE FEDERAL ACT.

(B) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO A BLIND INDIVIDUAL WHO WORKS IN A SHELTERED WORKSHOP OF BLIND INDUSTRIES AND SERVICES OF MARYLAND.

(C) AUTHORITY TO WAIVE MINIMUM WAGE.