

(g) (1) An employee who, in the actual performance of his job duties, sustains an accidental personal injury which would be compensable under the Maryland Workmen's Compensation Law in Article 101 of the Code, shall be granted accident leave with full sick pay if, after medical examination, a physician certifies that the injury or accident disables the employee.

(2) Accident leave shall be granted from the date of the job related injury until a physician certifies that the employee is healed and physically able to return to work, but may not be extended beyond one year from the injury date. The employer's physician may examine the injured employee periodically to determine the progress of and length of time necessary for his recovery.

(3) The injured employee shall not receive temporary total benefits under workmen's compensation while receiving full sick pay under this subsection.

(4) If a compensable injury under this subsection is caused by a third person other than the State, the State as employer, after giving written notice to the injured employee, shall be subrogated to the rights of the employee to the extent of any compensation paid or owed under this subsection. If, within 90 days of the receipt of the written notice, the employee fails to enforce the claim against the third person, or give written notice of an intent to do so, the State may bring an action, or join in an action, in its own name and for its own benefit. An action brought by the State under this subsection is not a bar to any other claim related to the occurrence.

(h) Except if the sick leave is taken at the option of the employee because of a death in the immediate family, any payment of sick pay made to a State employee under this section shall be made as a separate benefit on account of sickness or accident disability and not as a continuation of salary.

(i) (1) In this subsection "adoption leave" means leave available to an employee for care of an adopted child during the period immediately following the adoption.

(2) Notwithstanding any other provision of this article, an employee, with the approval of the head of the employee's department or agency, may use up to 30 days of earned sick leave as adoption leave.

(3) The adoption leave authorized by this subsection may be used by the employee only if the employee is the person who is primarily responsible for furnishing the care and nurture of the child.

SECTION 2. AND BE IT FURTHER ENACTED, That all days of unused personal leave for State employees which would otherwise be forfeited at the end of calendar year 1986 shall be