

February 2nd, 2021

To: Senate Finance Committee

From: Capitol Pest and Maryland Statement Pest Control Association

Re: Opposition to SB 486 – Labor and Employment – Employment Standards During an Emergency (Maryland Essential Worker’s Protection Act)

As a registered Democrat who lives in District 14, runs the second largest pest control company headquartered in Maryland and located in Beltsville, and a past President of the Maryland State Pest Control Association, I am writing in opposition of HB 581 for many reasons that I don’t believe you are aware of.

While I totally agree with the intent of the bill, and I have personally already taken many of the steps in this bill, there are several areas of grave concern to me and other pest control operators in our state that would put many of us out of business.

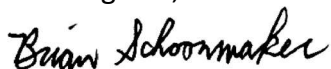
- **Page 4 – 3-1602 (2) (VI)** – Our industry is listed incorrectly and we are misclassified to begin with and should not be included in this proposed legislation. This classifies our industry under the commercial sector when in fact, the U.S. Department of Homeland Security Cybersecurity & Infrastructure Security Agency, in their memorandum dated 12/16/2020, classifies our industry as critical infrastructure workers under Food and Agriculture due to us protecting public health and the human and animal food chain. We need to be taken out of this legislation as we are being misclassified.
- **Page 11 - 3-1605 2 (I)** - This states that an employee can refuse to work in “unsanitary conditions”, but fails to define what this means. We work in unsanitary conditions every day as a part of our daily lives as we protect public health against the spread of disease from pests. That is the nature of what we do. Does this mean that an employee can refuse to do their job, get paid for it, and not be fired because they do not want to enter a home full of cockroaches or bed bugs? “Unsanitary conditions” must be clearly defined.
- **Pages 14 and 15 - 3-1607 (B)** - We would have to pay for a test if one of our employees is exposed to someone else who is out of our control (at home or somewhere else) who tests positive for Covid. We already have been paying enormous amounts of money for respirators to be worn full time, gloves, booties, hand sanitizer, and other items that now cost 20 times what they did before, and other items to promote the safety of both our employees and our customers. We sanitize our office, have our office staff working from home, have a no-mask no-entry policy, and take every precaution to protect our employees. Having to bear the additional burden of their actions outside of work hours is totally unfair.
- **Page 17 - 3-1609 (A) (1) (III) and (2)** – These paragraphs state that we would have to pay all field employees \$3.00 more per hour more dating retroactively back to the beginning of the pandemic. This would be a huge burden that we have received no help with since we do not qualify for help from PPP loans and while we have increased expenses across the board already. It is retroactive and has not

been budgeted for which would put companies out of business. We cannot raise our prices to our customers retroactively, and would have to eat this entire cost. This is far too large of a burden financially and if we are already protecting our employees, how can this be a fair judgement? This also makes no mention of Salaried employees and how to handle them. At the very least, there should be a sliding scale based on how much an employee makes. I pay my people more than other companies already and meet the \$15/hour minimum wage that is not even law. I again already bear a financial burden that other companies do not. This needs to be stricken or revised to be made better.

- **Page 17** - (B) (1 & 2) - If someone gets Covid-19, we would have to pay for their medical expenses regardless of how they got it and their reason for not having insurance. What if they are hospitalized and did not have insurance due to their choice not to have it? Even though health insurance is both offered, and I already pay far more towards insurance coverage than other companies in my industry, if the employee chose to not accept the insurance, has their own insurance, and lacks proper coverage, due to no fault of mine, we would have to pay potentially hundreds of thousands of dollars in medical bills if someone is hospitalized due to their negligence (not mine). This is another recipe for financial disaster due to no fault of mine or other business owners who are already taking all of the steps necessary to protect their employees during work hours but have no control over them outside of work.
- **Page 18** - 3-1609 (3) - This sounds like we would have to pay for insurance for all employees which would bankrupt us. The insurance companies participating in the exchange would also jack their prices up knowing that companies have to pay for and provide insurance to their employees who did not want it previously. I already cover 50% in the first year and 100% after the first year (best in the industry). That financial burden already lowers the value of my company significantly by decreasing my profits, this additional expense would put me and most other companies out of business as health insurance is extremely expensive. Again, putting this burden on companies is just not a good idea.

In summary, we do not belong in this legislation to begin with due to our role in protecting public health and our misclassification. If this is not fixed, I would site that the financial burden placed on companies is far too much to expect. I am in total agreement with the rest of this proposed legislation that will hold companies accountable for protecting their employees and providing a safe working environment, giving bereavement pay, paying them if they contract the virus for 14 days, and all other aspects of this legislation. If all of those things are done, as they already are at my company, then the rest of the financial burden listed above is both needless and unfair. Thank you for your time and consideration!

Best Regards,



Brian Schoonmaker
President
Capitol Pest