

February 9, 2021

VIA ELECTRONIC MAIL

Chair Delores G. Kelley
Senate Finance Committee
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB0486 – Labor and Employment – Employment Standards During an
Emergency (Maryland Essential Workers’ Protection Act)

Dear Chairwoman Kelley and Members of the Senate Finance Committee,

I am the owner of Eddie’s of Roland Park, and I write to express my (and my family’s) concerns regarding SB0486 – Labor and Employment – Employment Standards During an Emergency (Maryland Essential Workers’ Protection Act). Eddie’s of Roland Park has been a grocery landmark in Baltimore since 1944, and from its inception has remained family owned. Eddie’s of Roland Park is not only a staple in the community but has been committed to the Baltimore community for decades. With our community, employees and business in mind, we urge you to reconsider the Maryland Essential Workers’ Protection Act as drafted.

We have many concerns with the Maryland Essential Workers’ Protection Act, most obviously being the “one size fits all” approach. As I am sure you can appreciate, this approach does not tackle the obstacles that small businesses face, nor does it account for the consideration in our staffing and care for our employees. For example, the in-store experience and staffing at our locations are not comparable to a Giant Food or Safeway. Our stores are more service oriented with a focus on fresh departments, like our deli, bakery, prepared foods and catering options, as opposed to the traditional “big box grocery store” where almost all items for sale are simply stocked on shelves for the consumer. Requiring our store(s) to close down completely until it is “properly sanitized” because one individual has an “infectious disease” is unnecessary and costly. What does “infectious disease” mean? Google confirms that it is as minimal as the common-cold. Surely your intention is not to shut down an entire business because someone has the common-cold. Furthermore, what is considered “properly sanitized”? Our interpretation is that even if the “infected” individual is a cashier with no exposure to the deli, bakery or prepared food counter, we would need to shut down the store and sanitize everything. For those departments in the store, “sanitize” is synonymous with “throw away”. What a costly exercise for a virtually non-existent risk to customers and/or other employees. It is worth noting, that despite the more direct customer experience provided at our stores, we have seen no COVID-19 transmissions within our stores, which we credit to our strict and prudent policies that have been self-imposed since the onset of the pandemic.

In addition, the Maryland Essential Workers' Protection Act is overly financially burdensome to businesses that have already instituted safe and equitable practices. Because of our dedication to our community and our employees, we instituted many safety measures at the onset of the COVID-19 pandemic prior to the State of Maryland mandating certain practices. These practices included, but were not limited to, a mask mandate in the stores, a customer limit (that is much stricter than any local or state directive), providing personal protective gear to employees, offering \$2.00 per hour hazard pay from March 2020 through August 2020, finding replacement jobs for employees whose department slowed too much, and allowing employees to remain home while they were concerned about COVID-19 safety in timeframes far exceeding the Family and Medical Leave Act guidelines. We have employees from all different walks of life (including many with developmental challenges) who have worked with us for decades and built careers with us. Eddie's of Roland Park did not take a single penny of the government offered financial assistance because we did not need it at the time and did not believe in burdening the system for our own profit. While we have been happy to provide as much support as possible to our employees based on the resources available to us, the added costs and financial burden imposed by the Maryland Essential Workers' Protection Act would make continuing to employ many of our valued Eddie's family impossible.

We applaud the State of Maryland for taking action to ensure the general safety and well-being of its essential workers, but strongly urge the State of Maryland to reconsider how they categorize/regulate certain industries. To treat Eddie's of Roland Park the same as Giant or Safeway, is a disservice to small and mid-size businesses throughout the State of Maryland, and will result in many of those businesses either laying off valued employees, or shutting down completely (both of which would burden the unemployment system). We believe that any policy adopted by the State of Maryland should include, at a minimum, the following:

1. A more specific definition of "emergency", "illness", "properly sanitize" and "family member".
2. Hazard pay should be counted as a part of an employee's wage analysis for benefit programs.
3. Unreimbursed health care costs should not be the responsibility of employers, as many small businesses can barely afford the health insurance for employees already.

Thank you for your consideration. We are available to discuss these comments with you further.

Sincerely,

Nancy Cohen

