



HEARING DATE: February 11, 2021 1:00 p.m.

BILL NO/TITLE: Senate Bill 486 - **Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)**

COMMITTEE: Finance

POSITION: **Oppose**

The Maryland motorcoach industry is vital to Maryland providing essential transportation services connecting rural communities, relieving congestion in urban centers with commuter operations, transporting children to school and educational events, and serving as the only means of transportation for travelers on fixed incomes or without cars. We also play a key role in emergency and defense planning. In times of hurricanes and other natural disasters, motorcoaches are a critical to helping evacuate residents, particularly senior citizens. We constantly support our U.S. military by moving troops and their equipment for deployments and training around the country, similar to what we did at the recent inauguration of our 46th president, and our industry plays a direct role in defending the U.S. Capitol and Maryland.

Motorcoaches are essential to Marylander's by supporting the students, military, commuters and residents alike. Now more than ever, the flexibility and reliability of our services should be protected. As we witnessed at the onset of the pandemic private motorcoach carriers' services came to an abrupt halt and their wheels stopped rolling decreasing their annual revenue by almost 95% and still exists. We are into this pandemic a full year now as you well now with little to no income or help from the Federal Government or Maryland and we need to roll again to remain in business.

Now is not the time to implement additional new, costly and complex employer mandates. If passed, the bill would do just that for our members.

Requiring an MMA member to give a written statement regarding certain hazard pay paid to our workers/drivers at certain intervals and requiring them to take certain actions related to occupational safety and health during an emergency would be cumbersome and simply not cost affective in an industry that currently has virtually no revenue nor will they for the foreseeable future. Add to this authorizing an essential worker/driver to refuse to fulfill certain responsibilities under certain circumstances when and if needed would again cause undue costs to an industry that is virtually at a standstill. Other than commuter runs and the occasional event like the inauguration. Add to this the fact that this law seeks to prohibit us from retaliating or taking other adverse action against said worker/driver for said actions eliminates the need for us to even operate thereby laying off those very employees we wish to keep employed and out of the unemployment line through the limited Payroll Protection Plan.

MMA is also concerned because the definitions of emergency, essential employer and essential employee contained within the bill are extremely broad and overly ambiguous. They go well beyond the scope of the public health emergency we are currently navigating as a result of COVID-19. Nearly every type of

employer in Maryland is included in the scope of the legislation, regardless of risk-profile. In fact, 15 industry sectors that contain a combined total of 76 categories are defined as essential employers in the legislation.

The costs of this bill would be devastating to Maryland's job creators, who are already struggling with a global pandemic and compounding financial implications of other state mandates like increased minimum wage and paid sick and safe leave. MMA Members cannot reasonably be expected to comply with the broad and unwell defined mandates contained within Senate Bill 486, especially when they continue to overcome the operational and economic implications of COVID-19.

We need to count on you to oppose this dangerous legislation and protect us as Maryland Small Businesses.

About Maryland Motorcoach Association(MMA): MMA represents the interests of the Privately Owned Maryland Motorcoach Operators across the state and industry together with our tourism partners, destination marketing organizations, small businesses, coach manufacturers, and equipment suppliers all of whom are counted among our members we strive to promote the efficient and secure transportation of Marylanders across the state and throughout the country transporting students, seniors, military, church groups, commuters, and a multitude of other Marylanders as they go about their day to day business of working and enjoying life in Maryland.

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