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**SB 486 - Labor and Employment – Essential Workers Protection Act
Hearing before the Senate Finance Committee, February 11, 2021**

Position: SUPPORT

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Workplace Justice Project aims to ensure that our state's low-wage workers receive fair and full payment for their labor, as well as other basic protections on the job. The PJC **supports SB 486** and urges a **favorable** report.

SB 486 Will Keep Maryland Safe During Emergencies like COVID-19. Essential workers –including not only those in healthcare, but janitors, construction workers, and grocery store clerks–have worked throughout the pandemic to keep Maryland functioning. Yet too many of these workers have been denied adequate protective equipment, access to sick leave or health insurance, or the right to refuse to work in conditions that pose a risk to health and safety. Worse yet, when essential workers lack adequate protections, they are forced to work while contagious and spread the virus to their co-workers, families, and communities. Protecting Maryland's essential workers is critical to minimizing the spread and impact of emergencies and ensuring that such emergencies will be contained, minimized, and less costly. Because SB 486 will keep Maryland safe by protecting its essential workers, the PJC urges a favorable report.

SB 486 Will Empower Essential Workers to Refuse Unhealthy Conditions and Promote Public Health.

Throughout the pandemic, the PJC has heard from workers who explained that they had been threatened with termination, pay cuts, and/or reduced hours after raising concerns about workplace safety, such as a lack of protective gear, or the failure to provide for adequate distancing among staff. Most felt forced to continue to work for fear of the consequences and despite the risks. SB 486 makes clear that essential workers cannot be forced to work in an unsafe work environment, and that employers are prohibited from retaliation against those who quickly raise such concerns. The right to refuse unsafe work is a critical public health measure, and robust protections from retaliation can make that right meaningful.

SB 486 Will Enable Essential Workers to Protect Themselves, Their Families, and Their Communities.

SB 486 not only creates new protections for essential workers, but it also gives those workers what they need to make their rights a reality. Too many essential workers lack earned sick leave or lack enough of it to survive an emergency like COVID-19. Worse yet, they cannot afford time to grieve in the event they lose a family member in an emergency like COVID-19. Relieving essential workers of the Hobson's choice between their

much-needed paycheck and their health allows workers to stay safer at home, helps flatten the curve, and helps limit the spread of contagious illness.

Essential Workers' Pay Should Reflect the Additional Risks of Working During an Emergency. When essential workers are required to report to work during an emergency like COVID-19, they risk their lives and those of their family members. Even if and when they receive protective equipment, there is no way to completely eliminate risks essential workers face. Accordingly, they should be compensated for the additional risks associated with working in an emergency. Hazard pay of \$3 per hour worked will compensate essential workers for their precarious working conditions, as well as help them take care of their families during a financially uncertain time.

Maryland Workplaces Need Emergency Preparedness Plans and Disease Control Standards. Undoubtedly, the COVID-19 pandemic was an unprecedented and unforeseen catastrophe. Yet it did not need to be this bad. Emergency Preparedness Plans that detail sanitation procedures; testing, reporting, and inspection procedures; use of protective gear; policies related to telework or work hours; and retaliation protections would have reduced response time and mitigated the impact of the pandemic. Emergency action plans such as those required in SB 486, along with occupational safety and health standards for diseases like COVID-19 will ensure that employers are not left unprepared in the face of future emergencies.

For the reasons indicated above, the Public Justice Center **SUPPORTS** SB 486 and requests a **FAVORABLE** report.