



Maryland Grain Producers Association  
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Senate Bill 486 Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)

Committee: Finance

MGPA Position: **OPPOSED**

The Maryland Grain Producers Association serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. On an annual basis, nearly a million acres of these crops are grown in Maryland.

Senate Bill 486 would have devastating impacts on Maryland's grain farmers. This spring, the COVID-19 pandemic and stay-at-home order hit right at the beginning of spring planting season. Farmers and their employees were designated as "essential" so they could continue preparing their fields and planting their crops. Unfortunately, farming is very time sensitive, planting, managing and harvesting crops cannot wait. Grain farmers and their employees put the necessary precautions in place and did what they needed to do to continue to produce food, fuel and fiber for Marylanders.

As an "essential employer" this bill would require farmers to many things which would be difficult for such a small employer. The two most concerning requirements are the retroactive and proactive hazard pay and the ability of an employee to refuse to fulfill their work responsibilities.

Grain farmers are beholden to commodity markets for the price they receive for their crops. There is no way for a farmer to charge a "COVID surcharge" or any other fee in order to recoup the additional cost of providing hazard pay to their employees. Requiring \$3 per hour hazard pay for grain farm workers represents a potentially insurmountable cost to overcome, especially retroactively.

As mentioned, farming is time sensitive. If an employee does not show up for work and there is no recourse for the farmer employer until a Commission investigation is done, farmers could experience significant disruptions in their operation.

Grain farmers stepped up and implemented necessary protocols to keep their employees safe and their employees willingly continued to work through the COVID-19 pandemic. Additionally, grain farmers and employees often work almost entirely by themselves in separate, tractors, trucks or areas where social distancing is possible.

MGPA respectfully asks for an UNFAVORABLE report on Senate Bill 486.