



# MARYLAND MILITARY COALITION

*Serving Veterans through Legislative Advocacy*

February 8, 2022

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

Recommendation: **FAVORABLE REPORT** with Amendments, **SB 275**

Madam Chair Kelley and Distinguished Members of the Senate Finance Committee:

As President of the Maryland Military Coalition's 19 military and veterans' groups, I write to express our strong support for SB 275, "Labor and Employment Family and Medical Leave Insurance Program – Establishment" (Time to Care Act of 2022').

SB 275 includes provisions that would establish contributory family and medical leave benefits for qualifying spouses (and others) of those serving on active military service – "active duty" and "active-duty call." During a period of active service employed spouses of the service person and other beneficiaries described in the bill often face enormous personal, familial, emotional and other stresses that can temporarily disrupt their active participation in the workforce.

SB 275 would establish the Family and Medical Leave Insurance Program in the Maryland Department of Labor to provide certain benefits to such individuals who take leave from employment for certain purposes; and, establish the Family and Medical Leave Insurance Fund as a special, non-lapsing fund; and require, beginning January 1, 2023, certain employees, employers, and self-employed individuals to contribute to the Fund in a certain manner; etc.

The Maryland Military Coalition (MMC) offers the following recommendations and comment on the bill.

1. In conformance with existing Maryland law, the definition of "service member" in Section 8.3 -101(P) of the bill should be amended to include any member of the eight Uniformed Services whose family member(s) would qualify for the family and medical leave benefits set out in the bill. (See: the Maryland Code, General Provisions, Section 1-117). In other words, members of the U.S. Public Health Service and the NOAA Commissioned Corps serving on active duty in Maryland must be included in the 'Labor and Employment Family and Medical Leave Insurance Program -- Establishment' legislation. As written, the bill would apply only to active and reserve component members of the six-Armed Services. USPHS and NOAA Corps members are included in the definition of "Uniformed Services" in Section 101, Title 10 USC and Section 101 Title 38 USC.
2. The terms 'active duty' and 'active-duty call' should be defined in the language by adding in Section 8.3 - 101 a new Subsection '(R)' that makes reference to applicable definitions of "active duty" in Title 10 USC. The bill should also clarify whether the intent is to authorize the intended benefits to members of the Maryland National Guard serving on state active duty under Title 32 orders?

With respect to the Maryland National Guard, for example, some members called to "active duty" on January 6, 2021 served initially under Title 32 state orders. Later, the orders were amended by ordering

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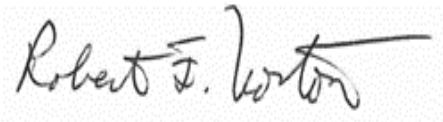
them to Title 10 active duty. If SB 275 were in effect in 2021, those who served on Title 32 orders or during state call-ups for other contingencies would have been ineligible for the benefits. The MMC strongly supports authorizing the benefits to Maryland Guard members on state active-duty orders.

3. The term "deployment" should be defined and added to Section 8.3 - 101. In common parlance, "deployment" means service outside the continental United States. However, the operational use of the National Guard and reserve components in our nation's defense often entails active-duty service within the United States for catastrophic emergencies such as Hurricane Katrina, Superstorm Sandy and the Covid-19 pandemic. The MMC strongly supports authorizing the benefits of SB 275 for the "employment" (in addition to 'deployment') of service members on active-duty orders within the United States.
4. Finally, the MMC notes the Fiscal Year 2022 National Defense Authorization Act (NDAA), S.1605, signed into law on 27 December 2021, established 12 weeks paid parental family and medical leave benefits. We see this Federal benefit as complementary to the contributory employer-employee Labor and Employment Family and Medical Leave Insurance Program in Maryland.

The Maryland Military Coalition strongly recommends a FAVORABLE Report by this Committee and the House of Delegates on SB 275, Labor and Employment Family and Medical Leave Insurance Program -- Establishment."

The Maryland Military Coalition is a registered non-profit, non-partisan group of 19 leading Maryland military and veterans' organizations who represent approximately 150,000 currently serving members, veterans, uniformed services retirees, their families and survivors. On its behalf, I recommend a **FAVORABLE** report on SB 275 by the Committee.

Yours, respectfully

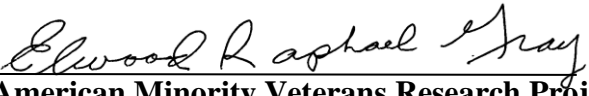


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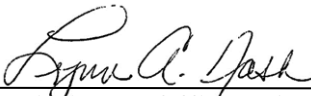
**Member Organizations, Maryland Military Coalition**

  
Air Force Sergeants Association

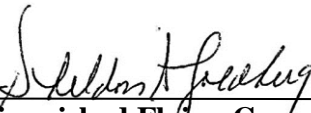
  
American Military Society

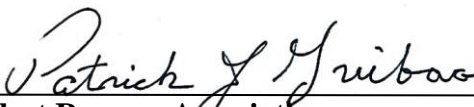
  
American Minority Veterans Research Project


  
Association of the United States Navy


  
Commissioned Officers Association of the  
US Public Health Service

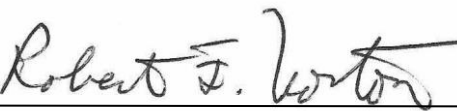
  
Disabled American Veterans

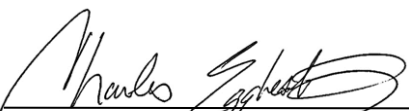
  
Distinguished Flying Cross Association


  
Fleet Reserve Association

  
Jewish War Veterans of the USA

  
Maryland Air National Guard Retirees'  
Association

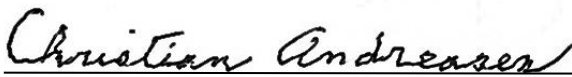
  
Military Officers Association of America


  
Military Order of the Purple Heart


  
Montford Point Marines of America

  
National Association for Black Veterans

  
Naval Enlisted Reserve Association

  
Reserve Organization of America

  
Reserve Organization of America

  
Society of Military Widows

  
Veterans of Foreign Wars