



HOUSE BILL 1015

Labor and Employment - Maryland Healthy Working Families Act - Seasonal Temporary Workers

March 7, 2023

Position: FAVORABLE

Mr. Chairman and Members of the Economic Matters Committee,

The Restaurant Association of Maryland supports House Bill 1015, which would help to guard against abuse of the *Maryland Healthy Working Families Act* by seasonal employees near the end of their employment period. This has been an issue for some employers in Ocean City in particular, and we have also received other inquiries about this issue from employers with seasonal employees in other parts of the State.

Under the current law, an employer may prohibit an employee from using accrued leave during the first 106 days of employment. An employer may require verification that such leave was used appropriately if the employee uses the leave for more than 2 consecutive shifts. The law allows an employer to require verification that such leave was used appropriately for any amount of leave used between the first 107 and 120 days of employment only if the employee agreed to provide such verification at the time of hire. The law was written this way in an attempt to prevent seasonal workers from abusing the law by trying to exhaust accrued paid sick leave hours near the end of the season.

The problem with the way the law is currently written is that seasonal workers who intend to abuse it near the end of the season are not required to agree at the time of hire to provide the specified verification. This causes scheduling problems, and increases labor costs for seasonal employers in the hospitality industry because they are often forced to pay for the missed shift in addition to the shift of necessary replacement workers.

This legislation addresses the problem by simply allowing an employer to prohibit an employee from using accrued leave during the first 120 days of employment instead of 106 days, which is more reflective of the duration of the seasonal work period.

For these reasons, we strongly support this legislation and request a favorable report.

Sincerely,

Melvin R. Thompson
Senior Vice President
Government Affairs and Public Policy