



## TESTIMONY IN SUPPORT OF Senate Bill 828

Submitted to the House Economic Matters Committee  
March 28, 2023

### FAVORABLE

**The National Partnership for Women & Families appreciates the opportunity to submit testimony in support of Senate Bill 828.** This bill would establish certain provisions relating to implementation, administration and cost-sharing for paid family and medical leave that would allow the program to truly meet its promise.

The National Partnership is a nonprofit, nonpartisan advocacy group that has more than 50 years of experience in combatting barriers to opportunity for women workers, such as sexual harassment and other forms of sex discrimination and gender-based violence. The National Partnership works for a just and equitable society in which all women and families can live with dignity, respect, and security; every person has a fair chance to achieve their potential; and no person is held back by discrimination or bias. For over a decade, we have worked closely with lawmakers and advocates to craft strong, effective paid family and medical leave legislation and to track the lessons learned from each new law's implementation.

The passage of the Time to Care Act in 2022 was a tremendous victory for Maryland workers, families and businesses. Maryland families have a broad and growing set of caregiving responsibilities, and paid leave will enable them to meet those responsibilities without having to sacrifice their economic security. The program builds on the lessons learned from decades of research on state paid leave programs and the Family and Medical Leave Act (FMLA). These lessons show that a paid leave program must meet certain basic standards to be workable, affordable and meet its potential to advance gender and racial equity, support public health, and improve the economy – and Maryland's program performs well on these standards:

- It provides **comprehensive coverage** for the range of health and caregiving needs that people experience, such as caring for a new child, dealing with one's own serious health condition or that of a family member, and dealing with certain caregiving needs related to a family member's military deployment. It also reflects a more realistic understanding of family caregiving by allowing leave to care for a wide range of family members beyond just a child, parent or spouse.
- It provides an **adequate duration** of leave that aligns with public health recommendations for child bonding and birth recovery and is meaningful for most workers' health needs.
- The program makes it **affordable** for workers to take leave by ensuring that the lowest-paid workers receive an amount of benefits that is close to their usual wages.
- The program is **inclusive** of all types of workers, including those working part-time, holding multiple jobs or working in the gig economy, and provides an inclusive

eligibility standard so that recent entrants to the workforce or those who recently experienced unemployment are not disadvantaged.

- It allows workers to be **secure** in taking leave by ensuring that employers cannot retaliate against them for filing for, applying for or receiving benefits.
- It is **sustainably** funded in a way that is reliable and low cost for workers and employers.

But a program that is strong on paper is not enough; how the program is implemented and operated ultimately determines how well it will work for workers and employers. SB 828 makes important clarifications and modifications regarding application and receipt of benefits, improves the program's annual reporting requirements, and gives the Department of Labor more breathing room to effectively start up the program.

The substantive provisions of SB 828 are also positive developments that will contribute to a successful program. It ensures that contributions for the program are evenly split between employees and employers, bringing the law in line with most other state programs and relieving the lowest-paid employees of the hardship that an uneven split could create. It removes the requirement for employees to exhaust all other types of leave before receiving benefits, making the program more workable for employees with other leave needs. And it adds domestic partners to the list of family members for whom a worker can take leave, which brings the program closer to one that works for all families.

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Senate Bill 828 is an opportunity for Maryland to deliver on the promise it made to workers, families, communities and businesses when it enacted the Time to Care Act last year. We respectfully urge a favorable report on the bill. If you have any questions about this testimony, please contact Vasu Reddy, Senior Policy Counsel for Economic Justice ([vreddy@nationalpartnership.edu](mailto:vreddy@nationalpartnership.edu)) at the National Partnership for Women & Families.