

# **HB 339 - Unemployment Insurance - Disqualification**

Uploaded by: Donna Edwards

Position: FAV



# MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

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**Donna S. Edwards**

*Secretary-Treasurer*

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**HB 339 - Unemployment Insurance - Disqualification - Stoppage of Work  
Caused by Labor Dispute  
House Economic Matters Committee  
February 14, 2024**

**SUPPORT**

**Donna S. Edwards  
President**

**Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to submit testimony in support of HB 339. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

HB 339 amends the unemployment insurance benefits disqualification for labor disputes and work stoppages to remove disqualifications for strikes lasting longer than 14 days. This change permits workers to collect unemployment insurance after the 14th day of a strike. When companies fail to bargain in good faith, workers can be forced to take action and walk off the job. Strikes are the final resort but an important right of workers, protected by the National Labor Relations Act.

New York and New Jersey already permit workers on strike to collect unemployment benefits. Similar bills to HB 339 are being considered in Washington, Pennsylvania, California, Massachusetts, and Connecticut. At the federal level, Representative Adam Schiff (D-CA) introduced the Empowering Striking Workers Act of 2023, which had 36 co-sponsors and the support of over 20 international unions. It also made workers eligible for unemployment insurance after 14 days on strike. AFL-CIO National President Liz Shuler, commended the proposal, stating, "When corporations attempt to starve workers during a strike or lockout lasting longer than fourteen days, workers should qualify for much-needed assistance that will keep food on the table and a roof over their heads as they fight for a fair deal on the job." James T. Callahan, General President of the International Union of Operating Engineers, added, "The problem with current law is that it assumes workers choose to go out on strike. Let's be clear. Workers don't want to withhold their labor; employers force workers into exercising their right to strike. Denying workers the unemployment insurance they have earned turns the logic of the whole program on its head. It also puts a government thumb on the scale in favor of employers. If the right to strike is, in fact, a basic, fundamental right, we should not deny workers a benefit they've earned to starve them into submission."

Workers already make tremendous sacrifices when going on strike, providing unemployment insurance could prevent them from losing their homes while fighting for fair contracts. We urge a favorable report on HB 339.

# **HB339\_Del\_Vogel\_Testimony.pdf**

Uploaded by: Joe Vogel

Position: FAV

**JOE VOGEL**  
Legislative District 17  
Montgomery County

Ways and Means Committee

*Subcommittees*

Education

Revenues



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**THE MARYLAND HOUSE OF DELEGATES**  
ANNAPOLIS, MARYLAND 21401

**HB339: Unemployment Insurance – Disqualification – Stoppage of Work Caused by Labor Dispute**

House Economic Matters Committee  
Wednesday, February 14th, 2024 1:00PM

Under current law, an individual is disqualified from receiving unemployment benefits if they are unemployed as a result of a stoppage of work because of a labor dispute. HB339 would establish that this disqualification would not apply after 14 days of the stoppage.

Workers who are striking as part of a collective bargaining would prefer to be at work, not claiming unemployment benefits. When working conditions are unacceptable and compensation contracts are unfair, workers should have the right to fairly collectively bargain. Strikes are a tactic of last resort, but a necessary right to level the playing field for workers. During a strike, corporate executives continue making an income – while workers do not, compromising their ability to reach a fair deal. It is important that workers in a labor dispute can continue to afford their rent, groceries, and other basic necessities.

By removing the disqualification after 14 days, workers forgo two weeks of wages, then individuals otherwise eligible to receive unemployment benefits can receive them thereafter. Given that unemployment benefits cover the bare minimum of one's needs and cannot alone provide significant quality of life, allowing workers to claim unemployment after two weeks would not disincentivize reaching a satisfactory agreement in a timely manner. But, with this legislation, striking workers would not have to choose between long-term fair pay and working conditions and their short-term ability to support themselves and their families.

Disqualifying striking workers from receiving unemployment benefits strains the wellbeing of striking workers and their families, thus undermining collective bargaining rights.

**It is for this reason, I urge the committee to give a favorable report on HB339.**

**HB 339 - WLCMD - FAV.pdf**

Uploaded by: Laure Ruth

Position: FAV

BILL NO: House Bill 339  
TITLE: Maryland Unemployment Insurance – Disqualification – Stoppage of Work  
Caused by Labor Dispute  
COMMITTEE: Economic Matters  
HEARING DATE: February 14, 2024  
POSITION: **SUPPORT**

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Currently, with very few exceptions, Maryland workers who are not working due to a labor dispute are disqualified from receiving unemployment benefits. House Bill 339 seeks to limit this disqualification to a time period of fourteen (14) days.

Unions have played an essential role in improving employee pay and benefits. A recent report by the U.S. Department of the Treasury found that unions not only raise the wages and improve the benefits of unions members, but these improvements spill over into non-unionized workplaces and contribute to the growth of the U.S. economy. Unions promote egalitarian wage-setting practices and studies have shown that unions have closed race and gender gaps in wages.<sup>1</sup>

A work stoppage is very extreme, albeit effective, tool used by unions bargaining with employers. Work stoppages of over 14-days do not represent the majority of strikes by union workers. The bulk of work stoppages in recent years have been less than 10-days in duration. In Maryland, there were only 15 strikes in 2021 and 2022 combined, and of these approximately 5 were of more than 10-days in duration. The top two demands for which a work stoppage occurred during bargaining were related to worker pay and health and safety.<sup>2</sup>

Women are under-represented in management positions and for women of color the number is much smaller.<sup>3</sup> Women are more likely to be in non-management positions and thus more likely to be in the group of workers for whom unions are bargaining. Women would also be economically harmed by going without any income for more than 14-days. This bill will support women and their families in Maryland and as such, the Women's Law Center of Maryland, Inc. urges a favorable report on House Bill 339.

**The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.**

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<sup>1</sup> "Labor Unions and the Middle Class," U.S. Dept. of the Treasury, August 2023. <https://home.treasury.gov/system/files/136/Labor-Unions-And-The-Middle-Class.pdf>

<sup>2</sup> Cornell University, School of Industrial and Labor Relations (ILR) Labor Action Tracker 2022. <https://www.ilr.cornell.edu/faculty-and-research/labor-action-tracker-2022>

<sup>3</sup> "Women in the Workplace 2023," McKinsey & Company and LeanIn.org. <https://leanin.org/women-in-the-workplace#key-findings-2023>

# **Favor of Bill HB0339.pdf**

Uploaded by: Liza Smith

Position: FAV

## Testimony in Favor of Bill HB0339

Honorable members of the committee,

I am writing today in strong support of Bill HB0339, which seeks to establish that the disqualification from receiving unemployment insurance benefits does not apply after the first 14 days of unemployment resulting from a labor dispute. As a shop steward with my union, UNITE HERE Local 25 which is a union representing hotel, restaurant, and casino workers in Maryland, DC and Virginia, I urge you to consider the significant impact this bill can have on workers facing the possibility of going on strike.

Labor disputes, such as the potential strike faced by our union in the coming months, can create a challenging situation for workers who are living paycheck to paycheck or have limited resources. These individuals and their families often rely on unemployment insurance benefits to cover basic necessities during times of unemployment. However, under the current system, these benefits are often denied to workers involved in labor disputes, leaving them vulnerable and at a disadvantage.

Bill HB0339 would rectify this unfair situation by ensuring that workers involved in a labor dispute are not disqualified from receiving unemployment insurance benefits after the first 14 days of unemployment. This will provide essential support and assistance to workers who are facing financial hardship during a labor dispute, helping to alleviate some of the burden on their families and enabling them to sustain their basic needs.



By extending unemployment insurance benefits in such cases, the bill also recognizes the reality that labor disputes are often necessary for workers to negotiate fair working conditions and wages. It ensures that workers have a safety net in place while they advocate for their rights and stand up for their livelihoods.

Moreover, this bill aligns with the principles of fairness and equality that our society strives to uphold. It recognizes that workers should not be unfairly penalized for participating in a labor dispute and acknowledges the fundamental right of workers to collectively bargain for better working conditions.

In conclusion, I strongly urge you to support Bill HB0339, as it provides crucial support to workers during labor disputes and addresses the inherent inequality in the current unemployment insurance system. By passing this bill, you will be demonstrating your commitment to the well-being and welfare of the workers in our community and promoting a more equitable and just society.

Thank you for your attention and consideration.

Liza Smith  
Unite Here, Local 25

# **Written Testimony HB 339 – Unemployment Insurance**

Uploaded by: Matthew Girardi

Position: FAV



## Statement of the Amalgamated Transit Union (ATU) Local 689

HB 339– Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute  
February 14th, 2024

**TO: The Honorable C.T. Wilson and Members of the Economic Matters Committee**  
**FROM: Matthew Girardi, Political & Communications Director, ATU Local 689**

ATU Local 689 supports HB 339 and urges the House Economic Matters Committee to issue a favorable report. This bill is a long overdue measure to put power back in the hands of working class people in the state of Maryland.

At Local 689, we represent over 15,000 transit workers and retirees throughout the Washington DC Metro Area performing many skilled transportation crafts for the Washington Metropolitan Area Transit Authority (WMATA), MetroAccess, DASH, and DC Streetcar among others. Our union helped turn low-wage, exploitative transit jobs into transit careers. We became an engine for the middle-class of this region.

Throughout our union's history, we have unfortunately had to fight tooth and nail to get fairness for our members. Be it a living wage, a secure retirement system, quality health insurance, or stable hours, Local 689 has been on the front lines of the fights to bring a decent quality of life to blue-collar workers. However, we know all too well that this means that companies will force us to strike.

Likewise, we have too often had to deal with companies and entities that would rather see our collective power crushed even while eating into their profits than sit down with us to find labor peace. This cannot be allowed to forever be the case. We have never taken labor actions lightly– our members are dedicated public servants who genuinely enjoy serving the public– be it the young scholars they pick up on their route to school or the person with a disability they assist with paratransit. When we strike, we do so to ensure that our riders, our fellow workers, and our equipment are treated with the care, dignity, and respect they deserve.

This bill would ensure that companies with deep pockets and disregard for their riders and employees alike are not able to easily union-bust. Good faith bargaining is necessary and allowing for workers to take unemployment compensation after 14 days of a labor action means that companies would be incentivized to come to the bargaining table with a fair offer.

Local 689 thanks Delegates Vogel, Charkoudian, Foley, Stewart, and Wilkins for introducing this worthy measure and urges the committee to issue a favorable report.

# **Testimony in support of HB0339.pdf**

Uploaded by: Richard KAP Kaplowitz

Position: FAV

2/16/2024

Richard Keith Kaplowitz  
Frederick, MD 21703

**TESTIMONY ON HB0339 - POSITION: FAVORABLE**

**Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute**

**TO:** Chair Wilson, Vice Chair Crosby, and members of the Economic Matters Committee

**FROM:** Richard Keith Kaplowitz

**My name is Richard Kaplowitz. I am a resident of District 3. I am submitting this testimony in support with amendments of HB#0339, Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute**

This bill attempts to prevent economic harm that favors an employer attempts to fight against labor organizing in a business. Employees who lose a job due to employer's resistance to labor organizing may be prevented or discouraged from organizing by threats of or actual loss of a job resulting from a labor dispute. This bill will fix that imbalance by making employees exercising their labor rights less likely to cease labor efforts when faced with employer resistance that stops any income from their job due to employer actions causing a loss of that job.

The media has documented cases in which labor organizaing efforts are being met by employers who shut down a business or an outlet of a business rather that negotiate in good faith with the employees. While other justifications are offered, upon review of that justification, it is found to be related to labor organizing and not a decision based on the circumstances alleged by the employer. Both Federal and State Departments of Labor have documented cases of employer intimidation and threats to employees over loss of income if labor activities commense or are successful. This bill will give employees tools to resist that pressure and work to resolve any labor dispute successfully.

**I respectfully urge this committee to return a favorable with amendments report on HB0339.**

# **HB 339 UI Work Stoppage 2024.pdf**

Uploaded by: Tom Clark

Position: FAV



# International Brotherhood of Electrical Workers

JOSEPH F. DABBS: Business Manager • THOMAS C. MYERS: President • RICHARD D. WILKINSON: Vice President  
CHRISTOPHER M. CASH: Financial Secretary • RICHARD G. MURPHY: Recording Secretary • PAULO C. HENRIQUES: Treasurer



## TESTIMONY IN SUPPORT OF HOUSE BILL 339 UNEMPLOYMENT INSURANCE-DISQUALIFICATION-STOPPAGE OF WORK CAUSED BY LABOR DISPUTE

**TO: Chair Wilson, Vice Chair Crosby and members of the House Economic Matters Committee**  
**FROM: Tom Clark, Political Director, International Brotherhood of Electrical Workers Local 26**

Mr. Chair, Mr. Vice Chair, and distinguished members of the House Economic Matters Committee. Please join me in enthusiastic **support of HB 339**. A bill designed to protect hard-working Marylanders caught up in a labor dispute, whether the work stoppage is caused by management, labor, or both.

As you can see by this letterhead and for those who know me as a proud member of the International Brotherhood of Electrical Workers Local 26, I am union through and through. I would like to make you aware that IBEW 26 has a **no strike/no lockout** clause in our contract. Different from many unions, IBEW 26 and our Contractors believe that a work stoppage of any kind, is not beneficial to either side. History, will show that both parties have prospered from this clause. However, outside the construction industry, work stoppages happen, and quite often, individual members are caught up in this war of leverage. Like any loss of employment, and like any insurance program, sometimes individuals deserve to receive the benefits that they pay into. Being a part of collective bargaining should not disqualify a person from receiving benefits.

Remember, this bill does not apply to me or the 11,000 members I represent, I am just looking to help others. I simply ask you to allow members that participate in the collective bargaining process, to receive benefits that are allowed to every other working person, during a work stoppage. Please **support HB 339** and support the Maryland worker. Thank you



**HB 339 - UNF - MHLA.pdf**

Uploaded by: Amy Rohrer

Position: UNF



# MHLA

## Maryland Hotel Lodging Association

### Testimony on behalf of the Maryland Hotel Lodging Association

#### In Opposition of HB 339

Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute

February 14, 2024

House Economic Matters Committee

The Maryland Hotel Lodging Association (MHLA) serves as the sole statewide trade association dedicated to advocacy for Maryland's 750+ hotels. Our industry provides the state with \$1 billion in state and local taxes, \$5 billion in total wages and salaries, and \$9 billion in total gross domestic product.

House Bill 339 would extend unemployment insurance benefits to individuals involved in a labor dispute extending beyond 14 days.

Employers pay into the Maryland Unemployment Insurance Trust Fund, which aims to "pay benefits to displaced employees who are seeking work and are unemployed through no fault of their own".<sup>1</sup> Being unemployed through "no fault of one's own" is categorically different than an employed worker who temporarily chooses not to work as a negotiating tactic. Unlike employees who are unfortunately laid off, strikers are still employed and may return to a paying job when they choose to do so. Expanding UI benefits to support striking workers would encourage more and potentially longer strikes, with frustrations unfairly extended upon Maryland consumers and added costs unduly borne by one negotiating party (employers).

According to the chart on p. 63 of the [2023 US Department of Labor Trust Fund Solvency Report](#), Maryland has a state trust fund solvency level of .92, which is already below the recommended minimum adequate solvency level of 1. In a letter dated September 30, 2023, Governor Newsom vetoed similar legislation in California, stating, "Any expansion of eligibility for UI benefits could increase California's outstanding federal UI debt projected to be nearly \$20 billion by the end of the year and could jeopardize California's Benefit Cost Ratio add-on waiver application, significantly increasing taxes on employers."

Expanding UI benefits to striking workers in Maryland would constitute an inappropriate use of the UI Trust Fund and would ultimately burden the very employers responsible for paying into the fund and creating jobs in our state.

For these reasons, we urge you to reject HB 339 with an Unfavorable Report.

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<sup>1</sup> [empguide.pdf \(maryland.gov\)](#)

# **HB 339\_MDCC\_UI\_Disqualification\_Stoppage of Work\_**

Uploaded by: Andrew Griffin

Position: UNF



**LEGISLATIVE POSITION:**

**Unfavorable**

**House Bill 339**

**Unemployment Insurance – Disqualification – Stoppage of Work Caused by Labor Dispute**

**House Economic Matters Committee**

**Wednesday, February 14, 2024**

Dear Chairman Wilson and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

HB 339 would allow employees who are not working because of their voluntary participation in a strike causing a stoppage of work to begin collecting unemployment insurance benefits 14 days after the stoppage of work began.

It is important to draw a distinction between reasons an individual may file for unemployment insurance benefits. While an individual is entitled to UI benefits when they've lost employment through no fault of their own, someone voluntarily walking away from their work because of an unresolved dispute between an employer and a labor union (which the employee is voluntarily participating in), does not constitute an appropriate use of unemployment insurance benefits. Further, workers are already entitled to benefits during a "lock-out" (employer caused work stoppage), allowing workers to claim benefits during an employee-caused work stoppage is clear double dipping of the UI program.

Finally, as the Committee debates other large-scale changes to Maryland's unemployment insurance program with the goal of ensuring long-term trust fund solvency, creating additional situations to draw benefits from the fund would be counterintuitive.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 339**.

**HB339\_MRA\_UNF.pdf**

Uploaded by: Sarah Price

Position: UNF

# MARYLAND RETAILERS ALLIANCE

*The Voice of Retailing in Maryland*



**HB339 Unemployment Insurance - Disqualification - Stoppage of Work Caused by  
Labor Dispute  
Economic Matters Committee  
February 14<sup>th</sup>, 2024**

**Position:** Unfavorable

**Background:** HB339 would remove the prohibition on filing for unemployment insurance if an individual's stoppage of work is caused by a labor dispute.

**Comments:** The Maryland Retailers Alliance has concerns about the impact that HB339 Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute would have on business operations in Maryland. Maryland has a record-low unemployment rate at this time, and the Office of the Comptroller's inaugural State of the Economy reported in January that there are 3.1 job openings for every job seeker in Maryland. This tight labor market has resulted in increased wages and expanded benefits in many industries, and many retail businesses are already offering higher than the State minimum wage. Our members would find it very difficult to support policies that could exacerbate existing labor issues or result in extended work stoppages.

It is our understanding that the Department of Labor has not expressed support for HB339. For this and the above reasons, we would respectfully urge an unfavorable report on this proposal. Thank you for your consideration.

**HB 339\_MDL\_Letter of Information.docx.pdf**

Uploaded by: Andrew Fulginiti

Position: INFO

## House Bill 339

Date: February 12, 2024  
Committee: House Economic Matters Committee  
Bill Title: Unemployment Insurance - Disqualification - Stoppage of Work Caused by Labor Dispute  
Re: **Letter of Information**

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The Maryland Department of Labor administers the Unemployment Insurance (UI) program. Under current law, a worker whose labor dispute has resulted in them being locked out of their employment is currently eligible for UI benefits, while a striking worker is currently ineligible for UI benefits. HB 339 would make striking workers eligible for UI benefits after a strike has lasted at least two weeks.

Workers across industry have been exercising their right to take collective action to protect their jobs, wages, and working conditions. Since there is no way to know if a strike will last a few days, weeks, or months, UI could be a vital economic buffer for working people if they leave work to go on strike, or because of a strike. Multiple states around the country are examining how to provide UI benefits to striking workers. **The Department is engaged in discussion with the bill sponsor and looks forward to working with the bill sponsor to address operational questions within the bill.**