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David Slaughter



TREASURER:  
Paul Bramble  
SECRETARY:  
Curtis Hall  
PRESIDENT:  
Tim Smith

February 1, 2024

Senator Pamela Beidle, Chair  
Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401

**RE: SB 38 – UNFAVORABLE – Wage Payment and Collection – Pay Stubs and Pay Statements  
– Required Information**

Dear Chair Beidle and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 38 expands the information that an employer must provide to an employee for each pay period, to include the employer's name, address, and phone number; the dates of work covered by the pay period; the number of hours worked; the rates of pay; the gross and net pay earned; the amount and purpose of any deductions; a description of the information used by the employer to calculate the employee's pay; and for piece rate payment, the applicable piece rates of pay and the number of pieces completed at each piece rate. If an employer fails to provide the information, an employee or the Attorney General may bring an action against the employer. A court may order injunctive relief, liquidated damages up to \$5,000, and attorney's fees.

This legislation is onerous yet again on the employers of Maryland. We already provide some of this information and have concerns about the tedious and time-consuming nature of this request. This would make each written pay stub pages upon pages. Moreover, many employees do not receive written pay stubs any longer but have opted for electronic versions. This bill is not very clear on whether the written statements with all of this new information still must be provided physically if the employee receives online pay statements. Our member companies see no issue with providing this information should the employee request it, but providing all of this with every pay period is overly burdensome. Should this bill move forward, we request that it be altered so that this information is provided upon an employee's request. We also have very serious concerns about the private right of action this bill gives to an

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**MARYLAND ASPHALT ASSOCIATION**



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employee. Again, should this bill move forward, we request that the private right of action be removed from this bill.

We appreciate you taking the time to consider our request and for the reasons stated above, we respectfully request an **UNFAVORABLE** report Senate Bill 38.

Sincerely,

A handwritten signature in black ink that reads "Tim Smith". The signature is written in a cursive, flowing style.

Tim E. Smith. P.E.  
President  
Maryland Asphalt Association