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Patrick Moran – President

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**House Bill 102 – Family and Medical Leave Insurance Program Revisions**  
**Finance Committee**  
**April 4, 2025**  
**Position: FAVORABLE WITH AMENDMENT**

AFSCME Council 3 represents 50,000 state, county, and municipal employees across Maryland. We respectfully urge the committee to issue a favorable report, with amendments, on HB 102. This legislation proposes several technical revisions to the state's Family and Medical Leave Insurance (FAMLI) program, including an additional 18-month delay in its implementation.

As a union, we negotiate with employers at the local, state, and public K-12 and Higher education levels. Over the past year, we have actively sought discussions with many of our employers regarding the upcoming implementation of FAMLI, which is currently set to begin with contributions on July 1, 2025. Only one employer has been willing to engage in these discussions. We commend the State of Maryland for reaching an agreement with us during our negotiations this past fall. There is separate legislation, HB 1503, introduced by the Department of Budget and Management, which would formalize this agreement for state employees, and we urge its passage to effectuate our agreement.

We are concerned that this additional delay may encourage employers to hire consultants to explore the option of private plans, which could undermine the intent and fairness of FAMLI. Privatizing benefits would diminish the very purpose of the program: to ensure public administration and accountability. Programs like FAMLI, Social Security, and Medicaid are most effectively managed by the public sector to ensure that they serve the interests of all workers — particularly low-income individuals — rather than profit-driven shareholders. Public administration also safeguards against discriminatory practices that may arise in private plans, such as biases against specific demographic groups, including women who are more likely to be perceived as primary caregivers and thus may be assumed to require more time off for family and medical needs.

Although the debate over private plan options within the FAMLI program seem to be settled, we believe it is important to protect our members' right to choose a benefit package that works best for them. To that end, we respectfully request that the committee consider adopting the enclosed amendment to safeguard the rights of exclusive bargaining representatives like AFSCME, particularly in the context of any delay. Thank you for your time and consideration.

## AFSCME Amendment to HB 102

### MD Labor and Employment Code § 8.3-202

This title may not be construed to diminish an employer's obligation to comply with a collective bargaining agreement or an employer policy that allows an employee to take leave for a longer period of time than the employee would be able to receive benefits under this title. **If the employees are subject to the provisions of a collective bargaining agreement, the exclusive bargaining representative shall have agreed to the plan prior to the effective date.**