

HOUSE BILL 1543

K3

6lr3227

By: **Delegate Bhandari**

Introduced and read first time: February 13, 2026

Assigned to: Government, Labor, and Elections

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Temporary Workers**

3 FOR the purpose of establishing the Temporary Worker Oversight Unit in the Maryland
4 Department of Labor; requiring the Department to ensure certain rights of certain
5 workers, provide certain forms, and provide certain interpretation services;
6 authorizing the Department to conduct certain inspections and examinations;
7 requiring recruiters of temporary workers that operate in the State to register with
8 the Department and post a certain bond; prohibiting employers and recruiters of
9 temporary workers from taking certain actions; prohibiting an employer from
10 employing a temporary worker before filing a certain affidavit; establishing a
11 rebuttable presumption that certain adverse actions by employers of temporary
12 workers are retaliation; authorizing temporary workers to allow representatives of
13 certain organizations to enter employer–provided housing; authorizing
14 representatives of certain organizations to provide certain assistance, support, and
15 education to temporary workers; and generally relating to temporary workers.

16 BY adding to

17 Article – Labor and Employment

18 Section 7.5–101 through 7.5–401 to be under the new title “Title 7.5. Temporary
19 Workers”

20 Annotated Code of Maryland
21 (2025 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That the Laws of Maryland read as follows:

24 **Article – Labor and Employment**

25 **TITLE 7.5. TEMPORARY WORKERS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.**7.5-101.**

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DEPARTMENT" MEANS THE MARYLAND DEPARTMENT OF LABOR.

(C) "EMPLOYER" MEANS A PERSON THAT EMPLOYS OR SPONSORS A TEMPORARY WORKER IN THE STATE.

(D) "RECRUITER" MEANS A PERSON THAT RECRUITS, SOLICITS, HIRES, REFERS, OR TRANSPORTS A TEMPORARY WORKER.

(E) "TEMPORARY WORKER" MEANS AN INDIVIDUAL EMPLOYED IN THE STATE UNDER AN H-2A OR H-2B VISA.

(F) "UNIT" MEANS THE TEMPORARY WORKER OVERSIGHT UNIT.

7.5-102.

IF TITLE 7 OF THIS ARTICLE CONFLICTS WITH THIS TITLE, THE PROVISIONS OF THIS TITLE SHALL PREVAIL.

SUBTITLE 2. TEMPORARY WORKER OVERSIGHT UNIT.**7.5-201.**

THERE IS A TEMPORARY WORKER OVERSIGHT UNIT IN THE DEPARTMENT.

7.5-202.

THE UNIT SHALL:

(1) COORDINATE ENFORCEMENT OF THIS TITLE;

(2) COLLECT DATA REGARDING THE IMPLEMENTATION OF THIS TITLE; AND

(3) ON OR BEFORE JANUARY 31 EACH YEAR, SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE

1 **GOVERNMENT ARTICLE, THAT INCLUDES FOR THE IMMEDIATELY PRECEDING**
2 **CALENDAR YEAR:**

3 **(I) THE ACTIONS OF THE UNIT TAKEN UNDER ITEM (1) OF THIS**
4 **SECTION;**

5 **(II) THE DATA COLLECTED UNDER ITEM (2) OF THIS SECTION;**
6 **AND**

7 **(III) ANY OTHER RELEVANT INFORMATION RELATED TO THE**
8 **IMPLEMENTATION OF THIS TITLE.**

9 **7.5–203.**

10 **(A) THE DEPARTMENT SHALL:**

11 **(1) ENSURE THAT A TEMPORARY WORKER IS ALLOWED TO:**

12 **(I) FILE COMPLAINTS WITH THE DEPARTMENT REGARDING**
13 **VIOLATIONS OF THIS TITLE; AND**

14 **(II) COMMUNICATE WITH DEPARTMENT INVESTIGATORS;**

15 **(2) PROVIDE ANY COMPLAINT FORMS, INFORMATIONAL FORMS, AND**
16 **COMMUNICATIONS RELATED TO THE ENFORCEMENT OF THIS TITLE IN ENGLISH AND**
17 **SPANISH; AND**

18 **(3) ON REQUEST, PROVIDE QUALIFIED SPANISH INTERPRETATION**
19 **SERVICES TO TEMPORARY WORKERS FOR INTERVIEWS, INVESTIGATIONS, AND**
20 **COMPLAINT PROCEEDINGS RELATED TO ALLEGED VIOLATIONS OF THIS TITLE.**

21 **(B) THE DEPARTMENT MAY:**

22 **(1) CONDUCT UNANNOUNCED INSPECTIONS OF WORK SITES AND**
23 **EMPLOYER–PROVIDED HOUSING FOR TEMPORARY WORKERS; AND**

24 **(2) EXAMINE PAYROLL RECORDS, HOUSING CONDITIONS,**
25 **TRANSPORTATION ARRANGEMENTS, AND SAFETY COMPLIANCE.**

26 **SUBTITLE 3. RECRUITMENT AND EMPLOYMENT OF TEMPORARY WORKERS.**

27 **7.5–301.**

1 **A RECRUITER THAT OPERATES IN THE STATE SHALL:**

2 **(1) REGISTER WITH THE DEPARTMENT ANNUALLY ON A FORM THAT**
3 **THE DEPARTMENT REQUIRES; AND**

4 **(2) POST A SURETY BOND WITH THE DEPARTMENT FOR NOT LESS**
5 **THAN \$10,000.**

6 **7.5–302.**

7 **(A) AN EMPLOYER OR A RECRUITER MAY NOT:**

8 **(1) CHARGE, COLLECT, OR CAUSE TO BE CHARGED OR COLLECTED, A**
9 **RECRUITMENT FEE, A PROMISSORY NOTE, A LOAN, OR ANY OTHER OBLIGATION**
10 **FROM A TEMPORARY WORKER;**

11 **(2) RETALIATE AGAINST A TEMPORARY WORKER FOR TAKING AN**
12 **ACTION AUTHORIZED UNDER THIS TITLE;**

13 **(3) INTERFERE WITH, BY INTIMIDATION OR OTHERWISE, THE**
14 **PROVISION OF SERVICES UNDER § 7.5–303(B) OF THIS SUBTITLE; OR**

15 **(4) PREVENT A SERVICE PROVIDER INVITED BY A TEMPORARY**
16 **WORKER FROM ENTERING THE EMPLOYER–PROVIDED HOUSING.**

17 **(B) AN EMPLOYER MAY NOT EMPLOY A TEMPORARY WORKER BEFORE**
18 **FILING AN AFFIDAVIT STATING THAT THE EMPLOYER HAS NOT VIOLATED**
19 **SUBSECTION (A)(1) OF THIS SECTION WITH RESPECT TO THE TEMPORARY WORKER**
20 **ON A FORM REQUIRED BY THE DEPARTMENT.**

21 **(C) AN ADVERSE ACTION TAKEN AGAINST A TEMPORARY WORKER WITHIN**
22 **90 DAYS AFTER A COMPLAINT OR ACTION IS FILED UNDER § 7.5–401 OF THIS TITLE**
23 **CREATES A REBUTTABLE PRESUMPTION THAT THE EMPLOYER HAS VIOLATED**
24 **SUBSECTION (A)(2) OF THIS SECTION.**

25 **7.5–303.**

26 **(A) A TEMPORARY WORKER MAY ALLOW A REPRESENTATIVE OF THE**
27 **FOLLOWING ORGANIZATIONS TO ENTER THE EMPLOYER–PROVIDED HOUSING:**

28 **(1) A FARM WORKER ADVOCACY ORGANIZATION;**

29 **(2) A LEGAL SERVICES ORGANIZATION;**

1 **(3) AN OUTREACH ORGANIZATION;**

2 **(4) A HEALTH SERVICE ORGANIZATION;**

3 **(5) A LABOR ORGANIZATION; AND**

4 **(6) ANY OTHER ORGANIZATION THAT PROVIDES SERVICES TO**
5 **TEMPORARY WORKERS.**

6 **(B) REPRESENTATIVES ALLOWED TO ENTER EMPLOYER-PROVIDED**
7 **HOUSING UNDER SUBSECTION (A) OF THIS SECTION MAY:**

8 **(1) PROVIDE ASSISTANCE TO TEMPORARY WORKERS CONSISTENT**
9 **WITH THE MISSION OF THE ORGANIZATION;**

10 **(2) SUPPORT THE TEMPORARY WORKERS IN FILING COMPLAINTS AND**
11 **ACTIONS UNDER § 7.5-401 OF THIS TITLE AND PURSUING RESOLUTIONS TO THE**
12 **ACTIONS AND COMPLAINTS; AND**

13 **(3) PROVIDE EDUCATION TO TEMPORARY WORKERS.**

14 **SUBTITLE 4. ENFORCEMENT.**

15 **7.5-401.**

16 **(A) IF AN EMPLOYER OR A RECRUITER VIOLATES THIS TITLE, A TEMPORARY**
17 **WORKER MAY:**

18 **(1) FILE A COMPLAINT WITH THE DEPARTMENT; OR**

19 **(2) BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION.**

20 **(B) (1) IF THE DEPARTMENT DETERMINES AN EMPLOYER HAS VIOLATED**
21 **THIS TITLE, THE DEPARTMENT MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED**
22 **\$10,000.**

23 **(2) FOR A VIOLATION INVOLVING MORE THAN ONE TEMPORARY**
24 **WORKER, EACH AFFECTED TEMPORARY WORKER CONSTITUTES A SEPARATE**
25 **VIOLATION.**

26 **(C) IN AN ACTION FILED UNDER SUBSECTION (A)(2) OF THIS SECTION:**

1 **(1) THE TEMPORARY WORKER MAY SEEK TREBLE DAMAGES AND**
2 **INJUNCTIVE RELIEF; AND**

3 **(2) THE COURT MAY AWARD REASONABLE FEES AND COSTS,**
4 **INCLUDING ATTORNEY’S FEES AND EXPERT WITNESS FEES, TO THE PREVAILING**
5 **PLAINTIFF.**

6 **(D) AN EMPLOYER AND A RECRUITER ARE JOINTLY AND SEVERALLY LIABLE**
7 **FOR A VIOLATION OF THIS TITLE COMMITTED BY A RECRUITER ACTING ON BEHALF**
8 **OF THE EMPLOYER.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2026.