

# JOTF JOB OPPORTUNITIES TASK FORCE

*Advocating better skills, jobs, and incomes*

## **TESTIMONY IN OPPOSITION OF HOUSE BILL 908:**

Maryland Healthy Working Families Act- Verification

**TO:** Chairman Derrick E. Davis, and Members of the Economic Matters Committee

**FROM:** Derrell Frazier, Policy Advocate

**DATE:** February 25, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We oppose House Bill 908 as a means of ensuring that hardworking Marylanders can continue to access our paid sick and safe leave law without having to risk their job, paycheck or financial security.

On February 1, 2018, over 700,000 Marylanders began to accrue earned sick and safe leave under the Maryland Healthy Working Families Act (HB 1 of 2017) after a long six (6) year fight. This long fight involved much negotiation and compromise to make sure that both businesses and workers are considered equitably when it comes to earned sick and safe leave. However, when it comes to earned sick leave, state-by-state we know that working families are the most vulnerable. No one should have to choose between their health and their job, yet an absence or delay of earned sick leave makes this choice ever-present for working families. Most importantly though, the absence or delay of earned sick leave means the increasing pressure and fear of losing income, which for a low-wage working family can ultimately mean the loss of stability on a variety of levels: family, economic, health, and more. Any alteration of earned sick and safe leave for Marylanders will only cause more harm and ultimately becomes counterproductive to the six years of progress Maryland has already made.

Maryland's law is already more business-friendly than most other jurisdictions, which only permit an employer to request verification after 3 days, rather than just 2 shifts. And no other jurisdiction grants additional power to employers between 107 and 120 days. Maryland employers' power to deny sick or safe leave on just the second or third attempt to take earned leave is already more restrictive to employees and business-friendly than other jurisdictions. Information obtained from various Maryland Public Information Act requests does not suggest that employees are abusing leave between the 107<sup>th</sup> and 120<sup>th</sup> day such that employers require additional power to deny leave.

HB 908 would allow an employer to unilaterally demand (via notice at the time of hire) that any employee who takes any leave between their 107 and 120<sup>th</sup> day of employment verify that the leave is for a legitimate purpose even if it is the first time the employee needs to use their earned leave. would empower employers to deny an employee their earned sick or safe leave between the 107<sup>th</sup> and 120<sup>th</sup> day again, even if it is the first period of leave they have taken –for failure to provide the verification demanded.

HB 908, as it would limit the millions of hard-working Marylanders, in particular low-income workers who are least able to lose even a single paycheck, can take necessary time off for family

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and medical life events without the risk of falling into poverty. For these reasons, we respectfully urge an **unfavorable** report of House Bill 908.