

TESTIMONY AGAINST HB 956
General Contractor Liability for Unpaid Wages
February 25, 2020

To: Chair and Members of the Economic Matters Committee
From: Carl Neimeyer, President, Bernward Mechanical and Construction Solutions

I would like to thank the Chair and members of the Economic Matters Committee for hearing Bernward's testimony against HB956 as read.

This legislation amends an existing successful law as it applies to the construction industry, making the burden of proof for the worker onerous when attempting to claim delinquent undisputed wages from an employer.

If passed as read, this legislation would cause subcontractor employees to locate and provide notification to the general contractor in order to wait an additional 30 days for their earned and unpaid wages. Additionally, a number of these employees may not have the resources to locate the general contractor and provide the required notification. Passage of this bill as read will allow some unscrupulous businesses an avenue to have an unfair advantage over businesses, such as ours, that pay our workers a just wage the week after it is worked.

I started this Maryland based Service Disabled Veteran Owned Small Business in 2016 with a strong mission to provide every worker with a just wage, the tools and training to do their job, and health and retirement benefits befitting the dignity of the middle class worker. As a result, we contend daily with losing jobs to companies who do not share our standards and ethics. This bill as written will allow one more avenue to defraud the wage due to the worker, eliminate honest companies from competition, and erode the workforce of trained and skilled workers in a time when they are in short supply.

With the goal in mind of providing your constituents and resident businesses protection from those companies who seek to turn profit on the backs of the worker rather than build value in partnership with their workers, we ask that you vote against HB 956 as read and allow the successful law in force to continue unamended.

For more information please contact Carl Neimeyer, PE, President, Bernward Mechanical and Construction Solutions
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