NATIONAL EMPLOYMENT LAW PROJECT

TESTIMONY

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On HB 1410 – Secure Maryland Wage Act – Which Would Raise the Minimum Wage for Covered Employees at BWI Airport, Pennsylvania Station, and the Port of Baltimore

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Thank you, Hon. Dereck E. Davis and members of the House Economic Matters Committee for the opportunity to submit written testimony on HB 1410 "Labor and Employment –Secure Maryland Wage Act," which would establish a higher minimum wage standard for covered workers at heightened security interest locations, including Baltimore-Washington International Thurgood Marshall Airport, Pennsylvania Station in Baltimore, and the Port of Baltimore.

Transportation workers are crucial to maintaining a vibrant economy in Maryland. By establishing a robust and gradually rising wage floor for workers at heightened security locations, the state of Maryland will be better able to attract and retain a skilled workforce, while cutting down on turnover and helping ensure the smooth operation of critical pieces of regional and national infrastructure. HB 1410 would establish a wage floor with reference to the Federal McNamara-O'Hara Service Contract Act of 1965, therefore following a policy approach that has been used successfully at comparable facilities for many years, including in Washington, D.C., through the DC Enhanced Professional Security Amendment Act of 2007.

The National Employment Law Project (NELP) is a non-profit, non-partisan research and advocacy organization specializing in employment policy. Our staff has worked with states and localities across the country on workforce policy for many years, including working at the state and local levels in Maryland on living wage and minimum wage policies.

Our testimony today provides an overview of the national trend towards extending fair contracting wage policies to workers at U.S. airports, which we believe can be extended to include comparable port and rail infrastructure facilities. Across the country, both major and regional airports are increasingly adopting such policies. Their experiences indicate that they have stabilized airport workforces, reduced turnover, increased productivity, and improved security. The increases have also been manageable for employers, and they have not adversely affected airports' business climates.

We testify in strong support of HB 1410 as a measure that will improve workers' lives and strengthen the Maryland economy.

1. Growing Numbers of U.S. Airports Have Successful Adopted Robust Wage Floors in Recent Years

For more than 15 years, a growing number of U.S airports have begun using living wage standards to promote quality jobs that meet the need for a stable, well-trained workforce for these sensitive facilities, and that keep workers out of poverty. As Table 1 below details, they include small regional airports like St. Louis, mid-sized airports like Oakland, and major national airports like those in Los Angeles, San Francisco, Philadelphia, and Washington, D.C. The policies that the airports have adopted are broadly similar: wage and benefits requirements that can more realistically ensure that workers can afford the basics, with annual cost of living adjustments; and coverage of service contractors, sub-contractors and concessionaires, including airline sub-contractors. Miami was one of the first airports to adopt a living wage policy as part of Miami-Dade's 1999 living wage ordinance.

Table 1: Selected Examples of U.S. Airport Living Wage Policies (as of February 2020)	
Airport	**Current Living Wage & Benefits Standard**
San Francisco	$17.66 per hour plus $5.40 in benefits if an employer does not provide a health plan meeting minimum standards).[1]
Los Angeles	$15.25 per hour plus health benefits of $5.34 per hour; $20.59 per hour if health benefits are not provided.[2]
St. Louis	$17.81 per hour without benefits; $13.33 per hour with health benefits.[3]
Seattle	$16.34 per hour.[4]
Miami-Dade	$17.06 per hour without benefits; $13.61 per hour with qualifying benefits valued at least $3.45 per hour.[5]
San Jose	$17.71 per hour without benefits; $16.46 per hour with minimum benefits.[6]
Oakland	$16.47 per hour without benefits; $14.35 per hour with benefits.[7]

2. Robust Living Wage Policies Can Significantly Reduce Employee Turnover, Increase Productivity, and Improve Safety and Security at Airports

The economic literature tells us that increasing wages can significantly improve turnover and productivity. To the extent that studies have assessed the impact of living wages on airports, they have arrived at the same conclusion: an increase in wages can cut turnover and increase productivity. There is evidence, too, that a robust living wage policy can improve security for airports.

a) Raising wages can significantly improve turnover rates for low-wage workers, including airport workers

Overall, low-wage industries are plagued by high turnover rates. The turnover rate in the restaurant sector for the 2015–2017 period, for example, exceed 80 percent per year, according to the Bureau of Labor Statistics.[8] For home-aide workers, the annual turnover rate is about 60 percent.[9]

Researchers with the Center for American Progress have estimated that it costs an employer "about one-fifth of a worker's annual salary to replace that worker."[10] *The Wall Street Journal* has referred to turnover in the low-wage sector as "a special scourge of retail and service companies."[11]

The economic evidence shows that a minimum wage increase can reduce turnover costs. According to the Center for Economic and Policy Research, there exists "[a] strong theoretical and empirical basis . . . for the idea that wages set above the competitive market rate can induce workers to work harder, either to ensure that they keep their job or in reciprocity for the higher wages paid."[12] In the homecare industry, a study examining the impact on workforce retention of nearly doubling the wages for homecare workers in San Francisco County over a 52-month period found that "the annual retention

rate of new providers rose from 39 percent to 74 percent following significant wage and benefit increases and that a $1 increase in the wage rate from $8 an hour . . . would increase retention by 17 percentage points."[13]

In the airport context, a study of the impact of the living wage at the San Francisco airport (SFO) by the University of California at Berkeley found that wage, benefits, and training standards for service and concessions workers that the airport adopted in 1999 resulted in substantially lower employee turnover and improved customer satisfaction.[14] For example, "the 27 percent increase in entry-level wages for ramp workers [was] associated with a 25 percent decline in turnover, while the 69 percent increase for screeners [was] associated with an 80 percent decline in turnover."[15] More generally, for firms where wage costs increased 10 percent or more, "turnover rates fell by approximately three-fifths (from almost 50 percent per year to 20 percent)."[16] For firms where wage costs increased by less than 10 percent, the impact on turnover led to a reduction from 17 to 14 percent."[17] More recently, as of 2014, SFO had reduced its turnover rate "from 110 percent a year to just 25 percent a year."[18]

A 2005 study of the living wage adopted by Los Angeles in 1997, which includes the Los Angeles airport, found that the "rates of turnover at living wage firms average[d] 32 percent, compared to 49 percent at comparable non-living wage firms."[19] The authors of the study explained that these turnover reductions "represent a cost savings for the average firm that is 16 percent of the cost of the wage increase, based on various estimates of the cost of replacing a low-wage worker."[20]

b) Higher wages can significantly improve worker productivity and performance

A higher living wage can also result in greater employee productivity and performance. As a 2015 Peterson Institute for International Economics briefing explained, "[e]conomists have long argued that increases in worker pay can lead to improvements in productivity—indeed, that it can actually be profitable to pay workers higher wages."[21] The authors highlighted voluminous evidence in the economic literature finding that, among other things, "[h]igher wages motivate employees to work harder," "[h]igher wages attract more capable and productive workers," "[h]igher wages enhance quality and customer service," "[h]igher wages reduce disciplinary problems and absenteeism," "[f]irms with higher wages need to devote fewer resources to monitoring," and "[w]orkers excessively concerned about income security perform less well at work."[22]

In the airport context, a 2013 report*, Course Correction: Reversing Wage Erosion to Restore Good Jobs at American Airports*, reported on wage erosion in the airport industry and the importance of raising wages. It also linked the potential for increased productivity at airports with higher wages, quoting a review of the economic literature finding that "by paying above market rates, employers may be incentivized to 'identify, implement, and maintain' efficiency improving practices; likewise, workers may work harder, 'either to ensure that they keep their job or in reciprocity for the higher wages paid.'"[23]

Not surprisingly, the 2003 study of the impact of San Francisco's living wage law found that the higher wages and benefits required by the law did "translate into improved worker performance."[24] The employers surveyed "were more likely to report an improvement than to report deterioration in overall work performance" and the jobs affected by the law involved "increased skill and more effort" according to worker interviews.[25] Ultimately, "both the worker interviews and employer survey confirm[ed] that employees [were] working harder."[26]

c) Higher wages and less turnover among airport workers can improve security

For years, studies have linked airport wages and turnover to security. In 2000, for example, as the "threat of attacks on aircraft by terrorists or others remain[ed] a persistent and growing concern for the United States," the U.S. Government Accountability Office (GAO), assessed why screeners at airports were failing in as many as 20 percent of screening tests.[27] The study found that the most notable problem reducing screeners' effectiveness was "the rapid turnover of screener personnel—often above 100 percent a year at large airports and, in at least one . . . instance, above 400 percent a year."[28] Moreover, the authors explained that "[a] key factor in the rapid turnover [was] the low wages screeners receive."[29]

A separate 2015 study on airport screeners found that "the number of errors . . . committed by inexperienced security screeners during their first months of work is large" and that it decreases over time.[30] The authors, citing previous papers, explained that "non-standard" or "emergency" situations require "one to solve unusual decision-making problems and be able to assess possible options for action" and that employees acquire these skills over time through experience.[31]

Studies and evaluations of the San Francisco and SeaTac airports have highlighted real ways in which living wage laws can significantly reduce turnover rates and improve employee performance to make airports better, safer places for both workers and the public. The authors of the 2005 San Francisco study found, for example, that employers reported that the living wage law had led to an improvement in employee morale (47 percent), absenteeism (29 percent), disciplinary issues (44 percent), equipment maintenance (29 percent), equipment damage (24 percent) and customer service (45 percent).[32]

An assessment of the needs of the Seattle-Tacoma International airport (Sea-Tac) in 2014 concluded that "higher wages and increased training opportunities will reduce turnover and improve employee satisfaction in critical functions at the Airport."[33] The assessment further concluded that "reduced turnover and increased employee satisfaction will result in an employee base with more experience that, when substantially reinforced with training, will in turn lead to safer and more secure Airport operations."[34] The airport's managing director that same year stated that "less experienced workers have twice the number of security violations as more experienced workers, making the airport's [then] current high job turnover rate—particularly among entry level workers—a security concern in itself."[35]

Thus, any efforts by the state of Maryland to improve security should include an effort to reduce turnover with better wages for all of its employees.

3. Living Wage Policies at Airports Have Improved Wages and Proved Manageable

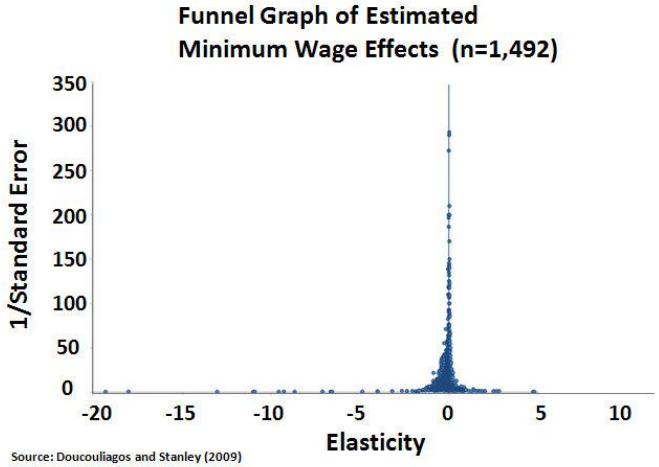
Airports have generally found that living wage and benefits policies have successfully stabilized and improved airport jobs without resulting in unmanageable costs. This reflects the conclusion of the most rigorous research over the past 20 years on increasing the minimum wage which has found that one can increase the minimum wage *without* reducing employment.

a) The most rigorous research shows that higher minimum wages raise wages without reducing employment

One of the most sophisticated of the new wave of minimum wage studies, "Minimum Wage Effects Across State Borders," was published in 2010 by economists at the Universities of California, Massachusetts, and North Carolina in the prestigious *Review of Economics and Statistics*.[36] That study carefully analyzed minimum wage impacts across state borders by comparing employment patterns in more than 250 pairs of neighboring counties in the U.S. that had different minimum wage rates between 1990 and 2006. The study's innovative approach of comparing neighboring counties on either side of a state line is generally recognized as especially effective at isolating the true impact of minimum wage differences, since neighboring counties otherwise tend to have very similar economic conditions, and the study has been lauded as state-of-the-art by the nation's top labor economists, such as Harvard's Lawrence Katz, MIT's David Autor, and MIT's Michael Greenstone. (By contrast, studies often cited by the opponents of raising the minimum wage that compare one state to another—and especially those comparing states in different regions of the U.S.—cannot as effectively isolate the impact of the minimum wage, because different states face different economic conditions, of which varying minimum wage rates is but one.)

Consistent with a long line of similar research, the Dube, Lester, and Reich study found no difference in job growth rates in the data from the 250 pairs of neighboring counties—such as Washington State's Spokane County compared with Idaho's Kootenai County where the minimum wage was substantially lower—and found no evidence that higher minimum wages harmed states' competitiveness by pushing businesses across the state line.[37]

However, it is not simply individual state-of-the-art studies, but the whole body of the most rigorous modern research on the minimum wage that now indicates that higher minimum wages have had little impact on employment levels. This is most clearly demonstrated by several recent "meta-studies" surveying research in the field. For example, a meta-study of 64 studies of the impact of minimum wage increases published in the *British Journal of Industrial Relations* in 2009 shows that the bulk of the studies find close to no impact on employment.[38] This is vividly illustrated by a graph from the meta-study showing the results clustered around zero:



Another recent meta-study by Paul Wolfson and Dale Belman of the minimum wage literature demonstrates similar results.[39]

A study by University of California economists analyzed over three decades (1979 to 2014) of teen and restaurant employment data, comparing states with high average minimum wages and those with low average minimum wages (typically, equal to the federal minimum wage). The analysis did not find disemployment effects among restaurant workers—who comprise a large share of the low-wage workforce affected by a minimum wage policy—while the effect on teen employment was only a fraction of the already negligible impact claimed by minimum wage opponents.[40] Another 2017 study, which also examined nearly four decades of data (1979 to 2016), and used a different methodology comparing the number of jobs in various wage categories (rather than total employment) prior to and following a minimum wage increase ("bunching method"), also found that jobs were not adversely impacted. The researchers concluded that any observed "job losses" were, in fact, the disappearance of jobs paying at or below the old minimum wage, with an equivalent increase in jobs at or slightly above the new higher minimum wage.[41]

The experiences of cities with higher local minimum wages—and the most rigorous economic research on the impact of city wage laws—have shown that they have raised wages broadly without slowing job growth or hurting local employers. For example, in September 2018, economists at the University of California, Berkeley released a study examining the impact of raising wages in Chicago, Washington, D.C., Oakland, San Francisco, San Jose, and Seattle.[42] All six cities are implementing a $15 minimum wage with the exception of Chicago, which adopted a $13 minimum wage by 2019. The study focused on the food services industry as an indicator of the effect of wage increases on minimum wage workers. Instead of finding that increased wages hurt workers at the lower end of the economic ladder, the study found no significant negative effect on jobs and that a ten percent increase in the minimum wage boosted earnings from 1.3 percent to 2.5 percent across the food services industry.

An earlier study by University of California economists explored the impact of Seattle's higher minimum wage between 2015 and 2016, when the city's $15 minimum wage ordinance began phasing-up. The study focused on the restaurant industry—the largest low-paying sector where any negative effects on jobs would first appear—and found that Seattle's minimum wage, which ranged from $10.50 to $13.00 during the period analyzed, had raised pay for workers without evidence of a negative impact on jobs.[43] Another much-publicized Seattle study reached a conflicting conclusion, suggesting that the increase had cost jobs.[44] But the conflicting study has come under fire for its serious methodological errors. These problems include the fact that the study excluded 40 percent of the workforce from its analysis and failed to control for Seattle's booming economy, which was naturally reducing the number of low-paying jobs as employers raised pay independent of the minimum wage to compete for scarce workers.[45]

b) Studies of living wages at airports have also found that a living wage does not lead to significant job losses

Living wages at airports have led to important wage increases for low-wage workers without significantly reducing employment or business competitiveness.

The 2005 study of San Francisco's living wage, for example, found that even if the entire cost of the living wage law had been passed on to consumers, the additional costs "would not have had a significant effect on ticket prices."[46] It also found that the employment data analyzed did "not suggest that the living wage policies resulted in disemployment at SFO."[47] In Los Angeles, the study of that airport's living wage estimated that 112 jobs subject to the living wage in Los Angeles had been eliminated as a result of the new law. That number represented just .8 percent of all covered jobs in affected firms.[48]

Furthermore, living wage policies have not deterred companies from seeking to do business with airports or adversely affected airport revenue. For example, LAX in Los Angeles rebid its concessions contracts in 2011—more than 10 years after it had adopted its living wage standard and after substantially increasing the health benefits contribution required for employers at the airport in 2009. The airport found dozens of companies, large and small, vied for the opportunity to contract with the airport.[49] Similarly, after SFO adopted its living wage and benefits requirements, it rebid its concessions in 2003, electing to manage them directly rather than through an intermediary food services contractor. Competition was robust that year with 115 applications from restaurants and bar owners for about 40 spaces that were to become available.[50]

In conclusion, a growing number of airports and transportation facilities around the country have adopted living wage policies in recent years. The economic research on the impact of those policies, as well as the experiences of airports and workers implementing those policies, demonstrate that robust living wage policies can bring about significant reductions in turnover, increased productivity, and greater security for passengers and employees. In addition, the evidence tells us that airports have been able to implement living wage policies without significant employment losses. An increase to Maryland's wages for covered employees would significantly help the state's workers at heightened security interest locations support themselves and their families through work.

Thank you so much for the opportunity to submit this written testimony.

For more information, please contact NELP Senior Staff Attorney/ Legal Director of Local Solutions Support Center Joint Project Laura Huizar at lhuizar@nelp.org. For more about NELP, visit www.nelp.org or www.raisetheminimumwage.org.

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