



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

February 5, 2021

Committee: House Economic Matters

Bill: HB 581 - Labor and Employment - Employment Standards During an Emergency (Maryland Essential Workers' Protection Act)

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes House Bill 581 which contains unfunded mandates on local governments as essential employers and sets a statewide standard of benefits to a wide variety of industries with drastically different operational structures.

The intent of this bill is noble as the health and well-being of essential employees during an emergency is critically important; however, the League has regularly opposed unfunded mandates on local governments that cover myriad issue areas and takes a similar stance with this bill.

Many municipal governments already provide the types of benefits outlined in this bill and are doing so right now amidst this pandemic: generous leave, testing, personal protective equipment, and hazard pay. However, some choose to do so on a more limited basis based on risk factors and budget. In an attempt to set a statewide standard for all essential employees, the bill would capture many municipal employees and for some towns the financial burden would be significant.

In addition, the criteria of “working conditions” that essential employers must provide, the definition of “unsafe work environment,” and the definition of “emergency” are quite broad and open to interpretation. These are important definitions that relate to liability for the employer and benefits awarded to the employee. The wide scope of interpretation of these terms is concerning and could open up local governments to more claims against them by aggrieved employees.

MML opposes the bill on the grounds that it imposes substantial administrative and cost burdens on municipalities while applying a standard across many diverse industries. For these reasons, the Maryland Municipal League opposes HB 581 and respectfully requests an unfavorable committee report.

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