



February 3, 2021

Chairman Dereck E. Davis
House Economic Matters Committee
Room 231
House Office Building
Annapolis, Maryland 21401

HB 0581 - Maryland Essential Workers' Protection Act

Dear Chairman Davis, Vice-Chair Dumais, and Members of the House Economic Matters Committee:

Brody Brothers Pest Control is a part of the Maryland State Pest Control Association, which aids in the management of pest companies or “pest control” companies in Maryland, and we too appreciate the opportunity to provide comments regarding **HB 0581 - Maryland Essential Workers' Protection Act**. Brody Brothers Pest Control is committed to providing essential and quality pest management services that protect public health, food, and property.

Structural pest control is considered an essential industry in Maryland and across the nation.

Brody Brothers is Supportive of Measures Protecting and Rewarding Essential Workers during this time and any state of emergency.

Our National Pest Management Association (NPMA) has continued to support the AG CHAIN Act during the last Congress that would have provided a federal tax holiday and a payroll tax exemption for all essential employees in the food and agriculture industry defined by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Agency (CISA) guidance.¹ We, Brody Brothers Pest Control are supportive of policies, such as tax benefits for rewarding essential workers and believe this would be a great benefit to our employees, including both salaried employees and hourly employees, but believe this needs to be better defined or have a sliding scale on how much any one individual makes to qualify.

Additionally, our industry has advocated for essential pest control workers to receive the COVID-19 vaccine in Phase 1B, as the CDC’s Advisory Committee on Immunization Practices (ACIP) has recommended. This is something as an employer, Brody Brothers Pest Control would love to

see their employees, who are considered essential workers, be in line for the vaccine as soon as possible.

The well-being of our team is a top priority for Brody Brothers Pest Control, as our businesses have advocated for worker protection policies and implemented measures at our own facility, that protect our employees every day. Everything from relating to PPE availability, social distancing, leave policies, and many others to help accommodate our essential workforce during the COVID-19 pandemic have been implemented by pest control businesses.

Concerns with Potential Disruptions Caused by HB 0581 – Industry Classification

Governor Larry Hogan decided to follow CISA’s list when determining which businesses are essential vs. non-essential.² Essential pest control businesses have been operating in Maryland according to this classification. HB 0581, however, decides to re-classify pest control workers as “exterminators” under a new “chemical/commercial sector.”

This re-classification for our industry in HB 0581 could potentially jeopardize the morale, mental health, and physical health of essential pest control workers in Maryland. It is our understanding that essential pest control workers are receiving the vaccine in Maryland under phase 1C due to their classification under Food & Agriculture. HB 0581 would re-scramble the classifications during the same time as vaccinations are being rolled-out under Governor’s classification system.

HB 0581’s re-classification of pest control workers could send essential pest control workers to the back of the line for COVID-19 vaccines, thereby defeating the bill’s intent to protect essential workers. Please do not jeopardize essential pest control workers’ ability to receive the vaccine in Phase 1C by re-classifying our workforce and triggering additional confusion and stress.

Other Concerns with HB 0581 that Could Disrupt Essential Pest Control Workers and Businesses

On Page 11, 3-1605 2 (I) it reads that “unsanitary conditions” in the workplace constitute an “unsafe work environment.” Pest control involves managing dangerous and deadly pests that are inherently unsanitary. We are concerned that this provision could prevent pest control workers from performing pest control services (e.g., retrieving dead rodents from a trap). We will either need this better defined or taken out altogether. If this is COVID -19 related, we can define it as anyone sick or with flu-like symptoms in the home, be considered unsafe to essential workers, etc. We are asking for a better-defined term here.

Page 17 - 3-1609 requires retroactive hazard pay for employees.

The proposed hazard pay increase could put our business on a fragile footing regarding complying with federal PPP loan rules, but also could cause many companies without our industry, who are small businesses to consider layoffs or closing their businesses altogether, in order to comply with

² <https://governor.maryland.gov/2020/03/23/governor-hogan-announces-closure-of-all-non-essential-businesses-175-million-relief-package-for-workers-and-small-businesses-affected-by-covid-19/>

this provision in HB 0581 and the retroactive hazard pay to their employees. We will have the funds, but I worry others in our industry will not.

Lastly, we have concerns with many other provisions, but for time and brevity we hope to discuss at a later time.

Conclusion

Brody Brothers appreciates the opportunity to share our views on HB 0581. I know ourselves, along with the Maryland State Pest Control Association and National Pest Mgmt welcome the opportunity to discuss this bill and answer any questions regarding our industry.

We share the intent with the bill authors to protect essential workers, but we simply suggest that parts of HB 0581 be separated and considered as smaller pieces of legislation. Thank you for your time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Samantha Forrest', enclosed in a light blue oval.

Samantha Forrest
Director of Operations

Brody Brothers Pest Control