



**Testimony in SUPPORT of HB 581
Labor and Employment - Employment Standards During an Emergency (Maryland
Essential Workers' Protection Act)**

Paulina Arnold, On Behalf of CASA

Honorable Chairman Davis and Members of the Economic Matters Committee:

CASA is pleased to provide testimony in support of House Bill 581. CASA is the largest membership-based immigrant rights organization in Maryland and in the Mid-Atlantic region, with a membership of over 100,000 Black and Brown immigrants and working families. This legislation is critical to ensure that CASA members, and the larger community of essential workers, do not have to put their lives or livelihoods at risk in their workplaces to bring essential services to Marylanders during an emergency like the COVID-19 pandemic.

A large majority of CASA members are low-wage immigrant workers, who have been the core of Maryland's essential workforce. Our office provides legal consultations to immigrants facing abusive or unsafe working conditions. Every week, we speak to and serve members working in the essential services covered by HB 581. Unfortunately, almost every member that has come to our office has contracted COVID-19 at some point over the last year. CASA members work as janitors, landscapers, apartment superintendents, construction workers, and grocery store staff - and are unable to work remotely during the COVID-19 pandemic. They routinely put themselves and their families at risk by reporting to work to provide these essential services, without meaningful policies in place to protect them or their families.

As immigrant workers, CASA members are uniquely exposed, as they are less likely to be in unions, have access to sick leave, or have health insurance. Those without immigration status may not have access to public benefits or pandemic economic relief programs, and so their job often represents the only way to support their family during challenging economic times. Fear of losing their job or of being reported to Immigration and Customs Enforcement (ICE) discourages our members from advocating for safer working conditions or reporting workplace abuse.

HB 581 would provide essential protections for our members during an emergency like the COVID-19 pandemic. Requiring employers to provide Personal Protective Equipment (PPE) and set clear safety protocols would help our members report to safe workplaces and reduce their risk of contracting COVID-19 and bringing it back to their families. HB 581's protection from retaliation would allow our members to report their unsafe workplaces without fear of losing their jobs.

HB 581's provisions for hazard pay and health and bereavement leave are also essential to immigrant essential workers. They are less likely to have health insurance or sick leave, and so these provisions fill necessary gaps in services. With HB 581's sick leave provision, our members will be able to take the time off from work necessary to recover and avoid infecting their coworkers. And HB 581's hazard pay will help our uninsured members cover the cost of medical bills and provide for their families without access to the pandemic economic relief packages available to Marylanders with immigration status.

Two examples from our members illustrate the extraordinary impact HB 581 could have. Neither of them received a stimulus payment, or any federal aid from the federal government. Rosa,¹ a member from Prince George's County, works for a janitorial company cleaning office buildings. Her employer refused to provide her with more than one mask per month and she had to buy more masks out of pocket to keep herself safe at work. Nevertheless, she contracted COVID-19 in May 2020, she believes while at work as others of her co-workers also tested positive. Rosa's employer forced her to quarantine for two weeks without pay before she returned to her unsafe working environment. Rosa needed her job to support her family and was too scared to report the conditions or challenge her employer.

If HB 581 had been in effect, Rosa's employer would have had to create a safety plan for its janitorial staff and provide them with adequate PPE to do their jobs. Rosa could have refused to work under such unsafe conditions without fear because HB 581 would have protected her from retaliation. And HB 581's hazard pay and paid quarantine leave could have given her the economic power to protect her and her family.

Juan, a member from Howard County, worked as a construction worker. When the COVID-19 pandemic started, his worksite did not provide masks, gloves, or any other form of PPE. Eventually it instituted social distancing, but one of the co-workers with whom he drove between worksites kept coughing and he complained to his supervisor. Juan's employer said if he felt unsafe he could go leave and go on unemployment. Unable to make his worksite safe, Juan applied for unemployment in April 2020. Although it was initially approved, his unemployment was later revoked and, unable to support his wife and two children or pay back his unemployment checks, Juan returned to work three weeks later. In September, he contracted COVID-19 and was hospitalized for almost a month without health insurance.

HB 581 would have protected Juan and his family. Rather than going on unemployment, Juan would have had the right to refuse unsafe work and been protected from retaliation. Even if Juan had still contracted COVID-19, HB 581 would have helped Juan have the resources for his hospital bills, both through affording him an opportunity to enroll in Maryland's Health Exchange and providing him sick leave. Hazard pay would have provided Juan's family an economic cushion during the time in the hospital when he was unable to work.

¹ Names changed to protect our members' identities.

We cannot entirely protect our essential workers from the risks of a global pandemic, but we can require their employers to provide as safe workplaces as possible. CASA members, as low-wage immigrant workers, are on the frontlines providing essential services to Marylanders. They are also the most vulnerable, having less access to other forms of relief and greater fear of retaliation. HB 581 goes a long way to ensuring that these vulnerable essential workers are as safe as possible and are compensated for putting themselves at risk.

For all of these reasons, CASA supports HB 581 and urges a favorable report from the committee.

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