

Maryland—House Bill #0064
Occupation Safety and Health – Handwashing Facilities on Construction Sites
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House Economic Matters Committee

As the executive director for the Sheet Metal and Air Conditioning Contractors’ Mid-Atlantic Chapter and a member of The Alliance for Construction Excellence (ACE) our industry group is in opposition to House Bill #0064 requiring Handwashing Facilities on Construction Sites.

Our national organization, the Sheet Metal and Air Conditioning Contractors’ Association (SMACNA) is supported by more than 4,500 construction firms engaged in industrial, commercial, residential, architectural and specialty sheet metal construction throughout the United States.

ACE is a local coalition of the premier construction specialty contractors’ associations, allied to create awareness of quality construction. ACE represents some 1,200 local subcontracting firms that employ highly skilled technicians for field construction work, and provide those employees with high value wages, family medical care, retirement plans and continuing education through education, workforce development, and apprenticeship training programs.

In Maryland, our local SMACNA Chapter, SMACNA Mid-Atlantic, represents more than 60 companies employing 2,000 workers in the Baltimore/Washington Metropolitan area. SMACNA members not only provide top level training for their employees, but also are known for providing excellent wages and benefits. These benefits include a defined benefit pension, health insurance, and 401(k).

General contractors manage construction projects and have the ability to directly hire employees such as carpenters, laborers, and cement finishers. However, 80 to 90 percent of the work performed on construction sites today is done by subcontractors. These people are typically specialty trade contractors who employ tradesmen such as plumbers, electricians, ironworkers, fitters, painters, and HVAC technicians. The majority of these subcontractor companies are considered small businesses by definition. For example, the average size of a sheet metal company in the U.S. is 10 employees.

So, if there are eight to ten subcontractors working on a project does that mean under this proposal that would have to be separate hand washing facilities for each subcontractor group? If not, who would be responsible? The proposed bill also states that the facilities have to be within

a “reasonable” distance. What is reasonable? How is that measured in terms of distance? Time? This is most unclear. On large construction sites workers are likely to be spread out on different floors of a building.

Another consideration is that it is entirely possible that a worker travel between different work sites, often within the same week or day. It is entirely possible that worker might spend several days or just hours at one job. Does this mean that separate hand washing facilities would be required at each location?

In our opinion, HB #064 is vague and arbitrary at best. Yes, our contractors have taken Covid-19 very seriously spending tens of thousands of dollars on personal protective equipment, altering work groups, and group travel. In fact, studies have shown that the pandemic is costing our contractors approximately a 17 percent in loss in productivity.

SMACNA Mid-Atlantic Chapter and the ACE Coalition oppose HB #0064 because it is vague and places additional burdens on contractors already struggling to work and keep people employed. It is hoped that the vaccines will soon be out and available to all Maryland residents and this will become a moot point. Until then, we urge you to vote in opposition of HB #0064.

For more information or questions, please contact Bernard Brill, SMACNA Mid-Atlantic Chapter, 7833 Walker Dr., Suite 400, Greenbelt, MD. Ph: 301/446-0002 x 101 or email Bernie@smacnaatl.org.