

RUSSELL HALL SEAFOOD, INC.

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February 3, 2021

To: Maryland House Economic Matters and Appropriations

From: Chesapeake Bay Seafood Industries Association

Re: Opposition of HB581– Labor and Employment – Employment Standards During an Emergency
(Maryland Essential Workers' Protection Act)

Russell Hall Seafood, Inc. would like to go on record as opposing HB581

While there are many good things in this bill, some of which we are already doing, there are some things that will create severe hardships on businesses, many already injured by and struggling from this World-Wide Pandemic. Essential businesses and their employees are obviously critically important to our nation's existence and well-being and all are very appreciative of their commitments and hard work to continue to work through COVID-19.

Things that are very problematic and will further injure the Maryland seasonal seafood companies and are onerous requirements for Maryland Job Creators including:

- 1) Hazard Pay - If passed, HB 581 would require employers to pay workers defined as essential an additional \$3 per hour in hazard pay dating back to the start of a state of emergency.
- 2) Financial Assistance for healthcare costs - The bill would require employers to provide financial assistance for unreimbursed health care costs to each essential worker who becomes sick or is injured if the sickness or injury is related to the emergency. It does not require the employee to prove that they contracted said illness at the workplace.
- 3) New Leave Program - The legislation creates a new leave program whereby employers will be required to provide at least 3 days of bereavement leave and 14 days of health leave. Health leave is defined as paid leave during an emergency due to the worker's illness or other health needs related to the emergency. Again, it does not require the employee to prove that they contracted said illness at the workplace.
- 4) Right to Refuse Work - If passed, the bill will afford essential employees the right to refuse work. This gives employees the discretion to make this decision, at the moment, without a mechanism for addressing abuse or verification by the employer. In addition, it is not clear that this would not apply to teleworking employees of essential employers, as defined by the bill.

Even more concerning, the definitions of emergency, essential employer and essential employee contained within the bill are extremely broad and overly ambiguous. They go well beyond the scope of the public health emergency we are currently navigating as a result of COVID-19. Nearly every type of employer in Maryland is included in the scope of the legislation, regardless of risk-profile. In fact, 15 industry sectors that contain a combined total of 76 categories are defined as essential employers in the legislation.

The costs of this bill would be devastating to Maryland's job creators, who are already struggling with a global pandemic and compounding financial implications of other state mandates like paid sick and safe leave. Maryland's employers cannot reasonably be expected to comply with the broad and unwell defined mandates contained within House Bill 581, especially when they continue to overcome the operational and economic implications of COVID-19.

How does the State of Maryland intend to fund these mandated employer costs of this bill? There must be a funding mechanism attached to totally fund this state mandate because Maryland seafood companies surely cannot afford these mandates!

For the above reasons, Russell Hall Seafood, Inc. opposes HB581

Harry Phillips

President
Russell Hall Seafood, Inc.