



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

March 9, 2021

Committee: Senate Finance

Bill: _____ SB 812 Workers' Compensation – Occupational Disease Presumptions – COVID-19

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes Senate Bill 812, which establishes an occupational disease presumption for employees with specified public safety and first responder occupations that are suffering from the effects of COVID-19.

This proposed presumption that any affected worker should be compensated by the employer, even if there is no supporting evidence for an actual workplace exposure that caused the illness, will be nearly impossible to rebut. The employer would need to provide evidence that the employee contracted COVID-19 outside of the workplace; an employer cannot be expected to have access to this information.

This bill also treats regular employees and front-facing employee the same, therefore significantly increasing the pool of eligible employees able to claim workers' compensation even though non-public-facing employees are at a significantly reduced risk of transmission.

This measure also alters the way the statute of limitations typically applies to workers compensation claims. Typically, the statute of limitations tolls two years from the date the employee stopped working. This measure proposes that the statute tolls two years from when the employee had actual knowledge that contraction of COVID-19 was due to their employment. This is a significant expansion that could raise costs for local governments, without providing a predictable procedure or timeline by which they may budget.

For these reasons, the Maryland Municipal League opposes Senate Bill 812 and respectfully requests an unfavorable committee report.

FOR MORE INFORMATION CONTACT:

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