

Maryland-Delaware Solid Waste Association
a chapter of the



**National
Waste & Recycling
AssociationSM**

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TO: The Honorable Delores G. Kelley, Chair
Members, Senate Finance Committee
The Honorable Brian J. Feldman

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: March 17, 2021

RE: **OPPOSE** – Senate Bill 728 – *Labor and Employment – Worker Safety and Health – Injury and Illness Prevention Program*

The Maryland Delaware Solid Waste Association (MDSWA), a chapter of the National Waste and Recycling Association, is a trade association representing the private solid waste industry in the State of Maryland. Its membership includes hauling and collection companies, processing and recycling facilities, transfer stations, and disposal facilities. MDSWA and its members **oppose** Senate Bill 728.

This bill states that each employer must establish, implement, and maintain an Injury and Illness Prevention Program (Program). The bill also states that each employer with 10 or more employees, or whose rate of work-related injury and illness exceeds the average incidence rate of all industries in the State as determined by the Commissioner of Labor, must develop, and implement a Health and Safety Committee to promote health and safety in the workplace. An employer with 10 or more employees shall establish the Program in consultation with the Committee.

MDSWA appreciates the intent of Senate Bill 728, however the industry does not believe that this is the right time to be imposing an additional administrative requirement on businesses. The formation of a committee along with reporting and record retention requirements presents a regulatory burden on businesses that are desperately trying to stabilize their operations. Furthermore, the industry has a significant variety of workers with varied responsibilities and job structures and, therefore, it would be virtually impossible for companies to establish a committee structure and plan development that could appropriately address the diversity of job types and related responsibilities.

It is also important to note that employers are already required to comply with stringent workplace regulations and safety protocols through the Maryland Occupational Safety and Health Division of the Department of Labor. Rather than impose a requirement on employers at this time, we believe that a better avenue would be the approach taken in other states to create financial incentives (e.g., tax credits or reduction in premium costs for worker's compensation) for employers to voluntarily implement injury and illness prevention programs. Another suggestion is to have the Commissioner of Labor work more closely with employers by providing voluntary guidance, consultation, training programs, and other assistance to help and encourage the implementation of programs that would be better suited for each employer's operation, rather than a one-size fits all approach. For the reasons stated above, we request an unfavorable report.

For more information call:

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