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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Finance Committee
SB 594 Labor and Employment - Maryland Healthy Working Families Act - Verification
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Kelley and Vice Chair Feldman and members of the Senate Finance Committee for this opportunity to present and request your support for Senate Bill 594, which is a simple bill that allows employers to require verification of the appropriate use of paid sick leave by seasonal employees during the 107th- 120th day of employment.

Like the agricultural exemption to the minimum wage bill that I presented to this committee last week, Senate Bill 594 also is a result of our work together on the bipartisan Senate Small Business Workgroup. During our meetings, I consistently shared the continued request of seasonal employers to extend the current seasonal exemption of the paid sick leave law from 106 to 120 days to reflect the true timeframe of the season to include the shoulder season and the time needed to train workers before the season starts.

When the original Maryland Healthy Working Families Act bill, House Bill 1, passed in 2018, I, along with other members representing seasonal employers, offered amendments to extend the seasonal exemption period of the paid sick leave law from 106 to 120 days to reflect the real timeframe of seasonal employment. Although our amendments were not approved at that time, we were advised by leadership that it was not uncommon for minor revisions to be made after a major law has been in effect for a couple of years and that bringing the issue back to the appropriate committees would be appropriate.

Since the passage of House Bill 1 (Chapter 1), the current seasonal exemption to the sick leave law continues to be challenging to our seasonal employers. As a result, I brought the issue to the bipartisan Senate Small Business Workgroup in 2019 and appreciated working with both the Workgroup Members and senior staff to craft the verification bill before you today.

I bring this legislation back to the committee's attention again this year because of the heightened urgency to provide seasonal employers relief during the pandemic. This legislation would authorize a seasonal employer to require verification that earned sick and safe leave is used appropriately by an employee when the leave is used during the period between the first 107 and 120 calendar days **if the employer provided written notice about the verification requirement at the time the employee was hired.** An employer may deny an employee's request to take earned sick and safe leave during that period if an employee fails or refused to provide any verification required by the employer.

Chair Kelley and members of the Senate Finance Committee, I personally can attest that our seasonal small business operators need this relief as I am a product of growing up in a family-owned seasonal business, Beefy's, the first fast-food, drive-through restaurant in Ocean City. My parents gave hundreds of young people their first summer job and it is where I learned my work ethic. Our seasonal small business operators of today want to continue to hire young people and this bill would allow businesses to keep employees on the payroll longer.

I want to thank all the local seasonal operators who have been sharing information and working with us on the impact of the paid sick leave law on their businesses and hiring practices. It is worth noting that Senate Bill 594 has the strong support of the Maryland Restaurant Association, the Greater Ocean City, Salisbury, Garrett County Chambers of Commerce, the Ocean City Hotel-Motel Restaurant Association, and the National Federation of Independent Business.

I am proud of our work together on the bipartisan Senate Small Business Workgroup in recognizing that our job creators need relief. Senate Bill 594 is a targeted bill that simply allows seasonal employers to require verification of the appropriate use of sick leave used by an employee between 107 and 120 days of employment. It will be a helpful tool to seasonal employers and will help ensure the appropriate use of paid sick leave used by seasonal employees.

This is an important priority for Maryland's seasonal employers especially during the hardship of the COVID-19 pandemic. I respectfully request a favorable report of Senate Bill 594.