



**SEIU MARYLAND & DC STATE COUNCIL**

1410 Bush Street, Suite F, Baltimore, Maryland 21230

**Testimony in OPPOSITION to Senate Bill 502**

**Labor and Employment – Maryland Wage and Hour Law – Agricultural Stands,  
Retail Farms, and Farmers’ Markets**

**Senate Finance Committee**

**February 18, 2021**

**1:00 PM**

Presented to: Delores G. Kelley, Chairman

By: Terry Cavanagh, Executive Director

SEIU Maryland & DC State Council urges a **Unfavorable Report to SB 502.**

We are proud to lead the ***Fight For \$15 Campaign*** nationally and in Maryland. We worked with many of you to pass the bill that gradually increases Maryland’s minimum wage to \$15 per hour in another few years.

SEIU is the largest union in North America. We unite workers in health care, public service, including public education, and property services to improve lives and the services we provide. We represent over 50,000 workers in the Maryland/DC/Virginia region. Our members have been active in passing ***Fight For \$15*** laws across the country because many of us earn low wages and understand that higher minimum wages not only help those on the bottom, but make it possible to negotiate higher wages for others.

We appreciate and understand that the sponsors of this bill are trying to meet the needs of certain small employers. However, while this appears to cover a category of employers for which there may be sympathy, we’ve seen insufficient evidence that they should be granted a special exemption.

The image of a farm stand is one that is common in Maryland. As we drive around our state, we may see a stand at the roadside, selling a family’s locally grown strawberries, tomatoes or corn and operated by a family member. Of course, those are the very situations that the General Assembly recognized when you granted fourteen (14) exemptions to the bill. Who is covered by this bill who does not already qualify for an exemption?

Besides the family farm stand, who else would qualify if this bill became law who isn't already exempt? Last year I gave the example to two businesses in Dorchester County I frequent. One, Simmons Market, a family-owned and operated business in downtown Cambridge since 1933 and Emily's Produce, also a family-owned and run business that is about two miles outside of Cambridge. Both are wonderful businesses that are more than worth your patronage. Although different, they sell many of the same items, such as meats, produce, jams, bread, cheese, eggs and sandwiches. Why would we give one an advantage over the other? As far as I know, both pay more than the minimum wage. Some of the retail farms see a large number of items, many from outside the area and have many employees, even during the off-season. Should those workers lose protection and those employers gain an unfair advantage over their competitors?

One legislator who supported the bill stated that Simmons was Walmart compared to Emily's. I resisted the temptation to respond and did NOT say, *"either you are unfamiliar with Walmart or unfamiliar with Simmons Market, because Walmart it is not"*

This would apparently exempt farmers' markets. Many of the vendors at these markets already qualify for one exemption or another. What is their rationale for being exempt? Farmers' Markets have seen a great increase in business over the last several years. Do we grant them an exemption as they increase their share of the market and penalize their competition?

Since many of the advocates for this kind of legislation are the same forces that opposed the Fight For \$15 bill, this begins to look like the camel's nose coming under the tent. We ask you to continue to protect Maryland's low-wage workers and reject this proposal.

**We urge a Unfavorable Report on SB 502.** Thank you.