

SB 158_FAV_ACLUMD_Amanuel.pdf

Uploaded by: Amanuel, Yanet

Position: FAV



Testimony for the Senate Finance Committee

February 4, 2021

SB 158 Election Law - Time Off for Employee Voting

FAVORABLE

YANET AMANUEL
PUBLIC POLICY ADVOCATE

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The ACLU of Maryland supports SB 158, which would improve upon the current law by requiring employers to allow workers to take paid time off to vote during either early voting or on Election Day. Additionally, this bill would take the important step of barring employers from taking retaliatory action against a worker if they exercise their constitutional right to vote.

Over the years, Maryland has made some great strides to eliminate barriers to voter participation by allowing Maryland citizens to register to vote and cast a ballot at early voting and on election day. Early voting allows for more flexibility to vote in elections. Similarly, Same Day Registration will enable voters who are not yet registered a chance to participate in our elections by allowing them to register up until the time that the polls close on election day. This has proved to be an essential resource for many Marylanders. In 2020, about 354,000 Marylanders utilized Same-Day Voter Registration during the Primary and General Elections.¹

However, individuals seeking to take advantage of Early voting and Same Day Voter Registration are ineligible for paid time off because state law currently limits paid time off to Election Day and individuals already registered to vote. For people struggling to get by, working multiple jobs, and trying to put food on the table for their families, being

¹ Maryland State Board of Elections, Unofficial Same-Day Registration and Address Change Turnout By County, https://elections.maryland.gov/press_room/2020_stats/Same%20Day%20Registration%20by%20County%20-%20PG20.pdf

unable to receive paid time off to vote can decrease these individuals' likelihood to vote.

Voting is a fundamental right and a civic duty. As the U.S. Supreme Court stated in its landmark 1964 decision, *Reynolds v. Sims*, "The right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government."² SB 158 simply seeks to improve the current law so that more eligible Marylanders can register, vote, and exercise their constitutional rights.

For the foregoing reasons, we urge a favorable report on SB 158.

² *Reynolds v. Sims*, 377 U.S. 533 (1964)

SB 158 - Election Law - Time off for Employee Voti

Uploaded by: Antoine, Joanne

Position: FAV

February 4, 2021

**Testimony on SB 158
Election Law - Time off for Employee Voting
Finance**

Position: Favorable

Common Cause Maryland supports SB 158 which would improve upon the requirement that employers allow employees two hours off of work to vote in elections. What differentiates this bill from prior efforts requiring employers to allow employees time off to vote is the accommodation for early voting and same-day registration voting reforms.

It is important that employees get time off to vote when their work schedule does not naturally allow for time for employees to make it to the polls. Inflexible work schedule is a common barrier to voting. Thankfully, in Maryland, we require employers allow time off for their employees to vote. However, current law allows for two hours off only on Election Day and only if the employee claims to be registered to vote. The current law does not allow employees to take advantage of two of Maryland's most important and equitable voting programs.

Early voting is supposed to allow for more flexibility to vote in elections, and yet, people who have to work can only take advantage of time off on election day. Similarly, same-day registration allows voters who are not yet registered a chance to participate in our elections by allowing them to register up until the actual election is over. However, people who have to work will not be able to take advantage of this opportunity if they have to be registered beforehand to get time off.

This bill makes common sense updates so more eligible Marylanders can register, vote and have their voices heard. Voting should be accessible for all eligible voters, even if they have some restrictions due to their work schedule. Voting is a fundamental right. We must ensure that our elections are free and fair— while also working to make voting more accessible so every eligible Marylander can make their voice heard.

We urge a favorable report on SB 158.

SB0158-FAV-DTMG-2-4-21.pdf

Uploaded by: Bartlett, Olivia

Position: FAV



Meghana Kotraiah, DoTheMostGood Elections Team

Committee: Finance

Testimony on: SB0158 – Election Law – Time Off for Employee Voting

Position: Favorable

Hearing Date: February 4, 2021

Bill Contact: Senator Susan Lee

DoTheMostGood (DTMG) is a progressive grassroots organization with more than 2500 members who live in a wide range of communities in Montgomery and Frederick Counties, from Bethesda near the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that support and uplift all members of its communities. DTMG strongly supports SB0158 because it will bring the “time off” provision of election law into sync with current election practices in Maryland, and knock down barriers to voting, allowing for stronger participation and representation in our government.

SB0158 will ensure that *any* employee, not just an employee with proof of being a registered voter, can take up to 2 hours off from work to vote in an election. This is essential because of one of the most important facets of voting access we have in Maryland: same day voter registration. In Maryland, citizens can register to vote and vote on any early voting day as well as on Election day, which removes a barrier to voting. According to the Maryland State Board of Elections, in the 2020 general election, same-day registration was used by 26,303 Marylanders — 12,728 during early voting and 13,575 on Election Day. This widely utilized feature of our democracy is not acknowledged by the current election law, which still requires that employees must show that they are already a registered voter to get time off from work to vote.

SB0158 would also break down barriers to voting by altering the requirement that the 2 hours off from work be granted for election day only. Early voting was established so that everyone can choose to vote at a time that is most convenient for them, avoiding long lines, and taking family schedules and events, predictions of adverse weather conditions on Election Day, travel, etc, into consideration. Employees should be able to take time off of work to participate in early voting. Making a plan to vote and voting as early as possible are important ways that citizens participate in our democracy.

This bill would ensure that *all* citizens - especially those with demanding or time-sensitive jobs, first time voters, and those who wish to wholeheartedly take part in the electoral process - are all able to vote. The specific clause in the bill that prohibits an employer from discriminating, retaliating, or

taking any form of reprisal against an employee who is absent from work to vote would further expand access to engaging with democracy.

Therefore, for all of the reasons mentioned above, DTMG strongly supports SB0158 and urges a **FAVORABLE** report on this bill.

Respectfully submitted,

Meghana Kotraiah
Co-Lead, DoTheMostGood Elections Team
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240-342-1856

SB0158_Represent_Maryland_Favorable.pdf

Uploaded by: Caruso, Anthony

Position: FAV



Bill Number: SB0158

BILL TITLE: Time Off for Employee Voting

BILL SPONSOR: Senator Lee

POSITION: FAVORABLE

COMMITTEE: Finance

HEARING DATE: January 20, 2021

TESTIMONY IN FAVOR OF SB0158

Anthony Caruso, Member
Represent Maryland

Represent Maryland is an all-volunteer, member and individual donor-funded group of activists and advocates who fight for democracy at the local and state level. We formed in 2015 to fight against the influence of big money in politics and to ensure that everyone can participate in our democratic system of governance, regardless of financial status.

We support Senator Lee's goal of giving employees time off to vote. This will address one of the barriers that may keep a citizen from voting. We should always strive to improve voter turnout, so by increasing accessibility to voting we expect voter turnout to increase as well.

Furthermore, all businesses who consider themselves "good corporate citizens" should be eager to give employees time off to vote, in order to support and encourage their civic participation. Please help increase voting accessibility by finding SB0158 favorable.

Sincerely,
Anthony Caruso, Member
Represent Maryland
Maryland Voter-LD6

Represent Maryland is a grassroots anti-corruption group of citizen advocates that #FightForDemocracy in Maryland.

Our democracy solutions include: Public Election Funds, Independent Redistricting, Special Elections, Ranked Choice Voting, Increased Ethics and Transparency, and Increased Voter Participation.

Learn more about our work at www.RepresentMaryland.org

SB0158_Represent_Maryland_Favorable.pdf

Uploaded by: Demnowicz, Cristi

Position: FAV



Bill Number: SB0158

BILL TITLE: Time Off for Employee Voting

BILL SPONSOR: Senator Lee

POSITION: FAVORABLE

COMMITTEE: Finance

HEARING DATE: January 20, 2021

TESTIMONY IN FAVOR OF SB0158

Cristi Demnowicz, Chair
Represent Maryland

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Sincerely,
Cristi Demnowicz, Chair
Represent Maryland
Maryland Voter-LD7

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Our democracy solutions include: Public Election Funds, Independent Redistricting, Special Elections, Ranked Choice Voting, Increased Ethics and Transparency, and Increased Voter Participation.

Learn more about our work at www.RepresentMaryland.org

SB 158 - Election Law - Time Off for Employee Voti

Uploaded by: Edwards, Donna

Position: FAV



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Gerald W. Jackson

SB 158 – Election Law – Time Off for Employee Voting Senate Education, Health, and Environmental Affairs Committee February 4, 2021

SUPPORT

**Donna S. Edwards
President
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to provide testimony in support of SB 158 – Election Law – Time Off for Employee Voting. My name is Donna S. Edwards, President of the Maryland State and DC AFL-CIO. On behalf of the 340,000 union members in the state of Maryland, I offer the following comments.

Expanding access to voting for more voters and reducing the obstacles for them to exercise their right to vote, has been a bedrock value of the Labor movement in the United States and around the world. With the expansion of Early Voting in Maryland in 2010, we have seen increased participation with each passing election, and with mail-in voting, turnout has increased even more. We should always be seeking new ways to make the process easier and hurdles smaller.

Under Maryland law, employers must give registered voters a two-hour break on Election Day to allow them to vote, if they so desire. SB 158 expands that right to include Early Voting and mail-in voting for such a break. This commonsense measure brings election law into harmony with the new and expanded forms of voting we now have available in the State. It costs the taxpayers nothing for this change and provides workers in Maryland with more opportunities to participate in our elections.

We ask for a favorable report on SB 158.

Support SB0158_Time off to Vote_Letterhead with cr

Uploaded by: Enagonio, Liz

Position: FAV



Indivisible: Central Maryland

Susan Radke, Advocate

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SB 158_ Election Law – Time Off for Employee Voting. Indivisible Central Maryland_Enagonio Liz_SUPPORT .

Indivisible Central Maryland SUPPORTS SB0158. We believe that voting is a right and a responsibility of citizenship. We support every effort to enfranchise all citizens eligible to vote by making it as easy as possible to cast a ballot in every election. We believe that granting all employees two hours off to vote is a valuable tool for enfranchising Maryland voters. We especially support this bill because it has the potential to allow hourly workers, workers with schedules that are not 9-5, and voters who work more than one job to access the franchise without losing pay. As well, we SUPPORT the change that would delete the need to obtain and use a form prescribed by the State Board of Elections. The change would remove a burden placed on employees who might not have easy access to the form, or who may not have the knowledge that such a form would be needed. The changes in election law promoted in SB0158 may seem minor, but for many “non-traditional” and especially hourly-wage employees, they represent removal of barriers to the franchise that affect less-privileged Maryland citizens. For ease of access to the vote for all Marylanders in all elections large or small, we are requesting the Education, Health and Environmental Affairs Committee vote to **SUPPORT SB0158**.

Liz Enagonio, advocate, on behalf of Indivisible Central Maryland

lenagonio@icloud.com

301-351-6451

SB 158 - Election Law - Time off for Employee Voti

Uploaded by: Harvey, Stuart

Position: FAV



Maryland Association of Election Officials

Representing the Local Election Boards of the State of Maryland

February 4, 2021

Senator Delores G. Kelly, Chair
Maryland Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB 158 – Support

Senator Kelly and Committee Members:

My name is Stuart Harvey. I am the Election Director in Frederick County and the co-chair of the Maryland Association of Election Officials (MAEO) Legislative Committee. MAEO represents the local boards of elections throughout the State of Maryland. I am here today representing myself and MAEO in support of SB 158 – Election Law – Time Off for Employee Voting.

Sb 158 updates and clarifies the time off for an employee to vote. In particular, it takes in to account the early voting period, not just election day, as the current law does not. It also makes certain that an employer may not discriminate or retaliate financially or professionally against an employee who exercises their right to vote during working hours.

MAEO supports this update to existing law, and feels the legislation clarifies the time period that an employee may use for voting.

For these reasons, we would urge the committee to give SB 158 a favorable report.

Thank you for your time. If you have any questions, please call me at 301-600-1007, or via e-mail at sharvey@frederickcountymd.gov.

www.maeo.net

LWVMD testimony - SB 158 - Election Law – Time Off

Uploaded by: Millenson, Janet

Position: FAV



TESTIMONY TO THE SENATE FINANCE COMMITTEE

SB 158 – Election Law – Time Off for Employee Voting

POSITION: Support

BY: Lois Hybl and Richard Willson – Co-Presidents

Date: February 4, 2021

The League of Women Voters supports an election system that protects all citizens' right to vote, increases voter participation, and is equitable and accessible. Maryland has moved forward on all these fronts in the past decade, and this bill updates the existing law (§10-315) to reflect those changes. The bill further safeguards the right to vote by prohibiting discrimination or retaliation against an employee for taking time off under this bill.

The current law requires employers to provide up to two hours' paid time off on election day for employees who are registered Maryland voters and would otherwise lack sufficient time for voting on a workday. This should be amended for three reasons.

First, Maryland has offered early voting since 2012 and it is a popular choice for many voters. The bill recognizes this new multi-day option by changing the reference to voting on election day to voting "in an election."

Second, Maryland now offers same-day registration, so an employee who is not already registered can still go to a polling place and cast a ballot. Before 2016, this was not possible. Therefore, it is appropriate to remove the phrase "who claims to be a registered voter."

Third, although all Maryland polling places make available an official form to use as proof of voting, many people who work in Maryland are residents of adjacent states or the District of Columbia and thus unable to obtain this form. The bill would make this requirement more flexible by specifying that the employee shall furnish "in a timely manner reasonable proof" of voting or attempting to vote.

The League of Women Voters of Maryland supports the passage of SB 158.

SB0158_Time_Off_For_Voting_MLC_FAV.pdf

Uploaded by: Plante, Cecilia

Position: FAV



TESTIMONY FOR SB0158 ELECTION LAW – TIME OFF FOR EMPLOYEE VOTING

Bill Sponsor: Senator Lee

Committee: Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0158 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Our members strongly support the right to vote. Many Marylanders like to vote in person

- to ensure that their vote is counted
- to have help when they are voting
- because they have disabilities that make it harder for them to vote by mail
- because they need extra help understanding the process

Regardless of the reason, we must make it possible for everyone to be able to cast their vote in a manner that makes them comfortable. If a voter is more comfortable voting in person, we have to make that allowance so they can participate.

However, many people cannot take time off to vote in person. This bill will require every employer to allow an employee two hours paid time off to vote whenever the polls are open. This is a very small price to pay for participation in our democratic process.

We support this bill and recommend a **FAVORABLE** report in committee.

SB158_EveryDistrict Action Fund_SUPPORT_Nicole Hob

Uploaded by: Volodin, Stacey

Position: FAV



February 4, 2021

Chairwoman Dolores G. Kelley
Finance Committee
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chairwoman Kelley:

On behalf of EveryDistrict Action Fund, I am proud to provide this written testimony in **SUPPORT** of SB 158 Election Law - Time Off for Employee Voting being heard before the Senate Finance Committee today.

EveryDistrict Action Fund is a 501(c)(4) organization focused on advancing voting rights issues in states across the country. In March 2019, we published our *Blue States Report*, which documented how legislatures can advance voting rights reform on pressing issues like increasing early voting, reducing voter waiting times, and expanding access to mail-in voting. We work to make voting easier and fairer for more people.

Maryland should be applauded for its progress in many areas of voting rights reform. This legislation would meaningfully strengthen the paid time off for voting provisions already enshrined in law. The current COVID-19 crisis has reinforced and expanded our understanding of who constitutes an “essential worker.” From medical professionals to service employees, Marylanders across the state are working long hours and have limited time off. Their need to provide for their family and to meet our society’s needs should not be a hindrance for them expressing themselves at the ballot box. This legislation would give employees the power and opportunity to make sure their voice is heard by broadening the paid time off benefit and protecting employees from retaliation.

Our nationwide research has identified other states across the country that provide strong paid time off for voting protections, including California, Colorado, Hawaii, Illinois, Massachusetts, Nevada, and New York. Based on our evaluation, the reforms in SB 158 would make Maryland a **leader** in permitting appropriate time off for voters. As more voters choose to vote early, paid time off policies should be updated to allow them to vote when most convenient. The events of the past few weeks reinforce the need for a strengthened democracy that allows everyone’s voice to be heard and vote to be counted. We thank Delegate Palakovich Carr and Senator Lee for their leadership and respectfully request that the Committee advance this legislation.

While I am not able to attend today's hearing, I would be happy to answer any questions that the Chairwoman or Committee may have regarding our voting rights research. Thank you for your consideration of this important bill.

Sincerely,

Nicole Hobbs

Executive Director, EveryDistrict Action Fund

Nicole@everydistrict.us

SB158_UNF_MRA.pdf

Uploaded by: Price, Sarah

Position: UNF



SB158 Election Law – Time Off for Employee Voting
Finance and Education, Health, and Environmental Affairs Committees
February 4, 2021

Position: Unfavorable

Background: SB158 would alter the current law allowing for employees to take time off for voting in an election.

Comments: SB158, which would alter and expand on current State law regarding time off for voting in an election, is unnecessary due to the regulations already passed by this legislature regarding employee time off and the expanded nature of conducting elections. Current Maryland law allows for employees to take time off without documentation until the third day or consecutive shift missed, in addition to documented periods of sick leave and paid time off. Furthermore, voters are able to cast their vote in a variety of ways outside of Election Day, including voting by mail or participating in early voting. The early voting period for the 2020 General Election in Maryland lasted for the full eight days before Election Day, with voters able to cast their ballot during an 11-hour time window each day, in addition to various options for dropping off a mail-in ballot. The leave regulations already codified in State law, coupled with these ample opportunities available for voters to participate in elections, render this legislation unnecessary.

For these reasons, the Maryland Retailers Association would urge an unfavorable report on SB158. Thank you for your consideration.