



LEGISLATIVE POSITION:

Favorable

Senate Bill 105—Peace Orders—Workplace Violence

House Judiciary Committee

Thursday, January 28, 2021

Dear Chairman Smith and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees and families. Through our work, we seek to maintain a balance in the relationship between employers and employees within the State through the establishment of policies that promote fairness and ease restrictive burdens.

As presented, Senate Bill 105 authorizes an employer to file a petition for a peace order that alleges the commission of specified acts against the petitioner's employee at the employee's workplace. The bill extends statutory provisions relating to the filing, issuance, and modification of peace orders, as well as the shielding of related court records, to peace orders filed by employers on this basis. An employer is immune from any civil liability that may result from the failure of the employer to file a petition for a peace order on behalf of an employee.

Workplace violence incidents are occurring with increasing frequency across the U.S., and, every year, approximately 2 million Americans are victims of non-fatal violence at their place of employment. What is more, officials at the U.S. Department of Justice found that violence is a leading cause of fatal injuries at work, and approximately 1,000 homicides occur in the workplace annually.

Eleven states have enacted laws allowing an employer to seek a restraining order on behalf of an employee. However, in Maryland, employers do not have standing to apply for a restraining order to prevent violence or harassment of their employees.

If enacted, this bill would allow a court to determine whether "imminent danger exists to the employees of a business entity" and issue a restraining order in the name of the business for the protection of employees. Employers would not be subjected to liability for failure to obtain a restraining order under the law.

We strongly believe that this legislation will provide Maryland employers with an additional tool to protect their employees from harm. By enabling employers to legally obtain an Order barring an aggressor from entering the workplace and/or following, harassing, or contacting an employee, Maryland's job creators will be better able to provide a safe workplace environment.

For these reasons, the Maryland Chamber of Commerce respectfully requests a **Favorable Report** on Senate Bill 105, as presented.

