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**MARYLAND ASPHALT ASSOCIATION**



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G. Marshall Klinefelter

January 21<sup>st</sup>, 2022

Delegate C.T. Wilson, Chair  
Economic Matters Committee  
231 House Office Building  
Annapolis, MD 21401

**RE: HB 258 – Employment Standards – Seating for Employees (Right to Sit Act of 2022) – NO POSITION**

Dear Chair Wilson and Members of the Economic Matters Committee:

The Maryland Asphalt Association is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

We submit this testimony without a position, but rather as an inquiry into this piece of legislation. House Bill 258 seeks to ensure employees the right to sit if the employee could reasonably perform his or her work while seated. Before our association is able to take a position, we seek additional information and clarity. As this bill is currently written, there is ambiguity as to whom this would apply, and therefore, we ask that the bill expressly defines what industries this would apply to. We have concerns that as it is currently drafted, a case could be made requiring our members to provide proper seating to its employees. Simply put, this law would not be feasible or practical in our industry, as job sites are constantly evolving. Our members put the utmost priority on worker safety and we ensure adherence to all of the proper OSHA and MOSH guidelines.

We appreciate you taking the time to address this legislation and we look forward to learning more about it so we can determine how it may impact our members and the residents of Maryland.

Thank you,

Marshall Klinefelter  
President  
Maryland Asphalt Association