



HB 640
Labor and Employment – Healthy Working Families Act - Application
Economic Matters Committee
Position: Unfavorable

Maryland AGC, the Maryland Chapter of the Associated General Contractors of America, provides professional education, business development, and advocacy for commercial construction companies and vendors. While the overwhelming majority of our members are open shop, we welcome union contractors and are the bargaining agent with four of the basic trades. AGC of America is the nation’s largest and oldest trade association for the construction industry. AGC of America represents more than 26,000 firms, all through a nationwide network of chapters. Maryland AGC opposes HB 640 and respectfully urges the Committee to give the bill an unfavorable report.

As the Fiscal Note states, “Under current law, MHWFA does not apply to a worker who is employed in the construction industry and who is covered by a bona fide collective bargaining agreement that expressly waives the benefits provided by MHWFA in clear and unambiguous terms. The bill adds that the employee must not be a construction laborer for this exemption, so the requirements of MHWFA apply to construction laborers.”

Maryland AGC union contractor members support keeping the original language in the law and do not support HB 640. From their point of view, a collective bargaining agreement that conforms to the existing law is a deal struck between two willing entities that have full knowledge of the commitment they are making. As a practical matter, a union would only agree to the provisions of current law if they were getting something they value for their agreement, either in terms of health care or some other subject of bargaining.

Moreover, there is nothing unique about construction companies as opposed to other companies that employ union laborers. If anything, the construction trade unions are the epitome of sophisticated, knowledgeable, and aggressive advocates for their members that certainly can and do stand up to union employers and bargain on an equal footing. HB 640 is both unnecessary and inappropriate.

For these reasons, Maryland AGC respectfully urge the Committee to give HB 640 an unfavorable report.

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