



Testimony of Ricarra Jones, Political Director of 1199SEIU on

HB 431 Maryland Fair Scheduling Act

Position: FAVORABLE

February 22, 2022

Dear Chair Delegate C.T. Wilson and Members of the Economic Matters Committee:

1199SEIU Healthcare Workers East is the largest healthcare union in the country with, with over 450,000 members throughout Massachusetts, New York, New Jersey, Maryland, Florida and Washington, D.C. **We fully support HB 431.**

HB 431 The Maryland Fair Scheduling Act would have major impact on those in the food service and retail business by compensating employees required to be “on call” to their employers and therefore restricted from engaging in other activities.

Employees, unable to attend to family, personal, health, educational, or other employment matters while required to be “on call”, may receive specific amounts of pay for their valuable time even if they are not required to work during the “on call” hours.

The Maryland Fair Scheduling Act requires an employer to pay an employee (1) two hours of regular pay for each on-call shift of four hours or less and (2) four hours of regular pay for each on-call shift exceeding four hours, if the employer requires an employee to be available for an on-call shift but does not require the employee to report to work.

Further, the Maryland Fair Scheduling Act provides employees the ability to either refuse to work essentially back-to-back shifts, or compensates employees who may agree to do so.

Specifically, an employee has the right to decline to work hours that occur during the 11 hours following the end of a shift. An employer must pay an employee 1.5 times the employee’s regular rate of pay for any hours worked during the 11 hours following the end of a previous shift if the employee agreed in writing to work the hours.

The Maryland Fair Scheduling Act allows employers flexibility as well, as the bill provides that an employer is not required to pay the wages required under the bill if the change to an employee’s work shift is due to specified conditions, including at the request

of the employee or a documented, voluntary, mutually agreed on shift trade among employees.

Without this Bill, employees will continue to provide unpaid time to employers with no guaranty of pay or work, and may be required to work excessive shifts without proper compensation, at the expense of themselves and their families.

For these reasons, we **SUPPORT HB 431** and ask for a **FAVORABLE** report.

Sincerely,

Ricarra Jones

Maryland/DC Political Director

1199SEIU United Healthcare Workers- East

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