



MARYLAND
Chamber of Commerce

LEGISLATIVE POSITION:

Unfavorable

House Bill 258

Employment Standards – Seating for Employees

House Economic Matters Committee

Tuesday, January 25, 2022

Dear Chairman Wilson 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 5,500 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

HB 258 establishes additional requirements for employers to provide seating for employees under certain circumstances and creates a private right of action as a potential enforcement mechanism.

The Maryland Chamber of Commerce believes the additional seating requirements outlined in HB 258 are unnecessary as individuals who would require seating due to a disability or other impairment would already be reasonably accommodated under the Americans with Disabilities Act (ADA). Additionally, it would stand to reason that the physical requirements of any job would be highlighted in a job description or made clear during an interview process, both of which are commonly accepted practices across many industries.

Further, there is concern over the private right of action that would be established by HB 258. This private right of action further opens Maryland's small businesses to additional liability creating more uncertainty during a very turbulent time. Finally, involving the Attorney General's office in enforcement seems to stretch thin the already beleaguered staffing and funding situation that is often mentioned by members of the Attorney General's office.

The Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 258**.

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