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NFIB-Maryland – 60 West St., Suite 101 – Annapolis, MD 21401 – [www.NFIB.com/Maryland](http://www.NFIB.com/Maryland)

TO: House Economic Matters Committee

FROM: NFIB – Maryland

DATE: February 28, 2023

RE: **OPPOSE HOUSE BILL 832** – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Founded in 1943, NFIB is the voice of small business, advocating on behalf of America’s small and independent business owners, both in Washington, D.C., and in all 50 state capitals. With more than 250,000 members nationwide, and nearly 4,000 here in Maryland, we work to protect and promote the ability of our members to grow and operate their business.

On behalf of Maryland’s small businesses, NFIB-Maryland opposes House Bill 832 – legislation expanding the state’s wage posting law.

NFIB believes firmly an equal day’s work is worth an equal day’s pay. The legislature passed HB 123 in 2020 which requires an employer, if requested by an applicant, to provide the salary range of a position. The Department of Labor and Industry’s 2021 Annual Report does not indicate any complaints received\*.

HB 832 would require employers to publish in “good faith” the wage range (as defined in the bill). Small businesses are largely doing this in their postings already without the threat of litigation. However, the legislation also requires each job posting to include information on benefits and other compensation. This puts into the question whether or not a small business owner who hangs the traditional “HELP WANTED” sign with the hourly rate in their window would be subject to a private right of action.

Additionally, a small business owner would be required to hold onto each of these job postings for as long as the Commissioner of Labor and Industry requires and make them available upon request.

Lastly, violations of the wage posting law are dramatically increased. These are *not* violations for employee pay discrepancies. Instead, they are violations for what can

\*<https://www.dllr.state.md.us/labor/2021diannualreport.pdf> (accessed 2/24/2023)

# HB832

easily amount to forgetting to include job benefits (or lack thereof) on a “HELP WANTED” sign.

For these reasons **NFIB opposes HB832** and requests an unfavorable committee report.