



NFIB-Maryland – 60 West St., Suite 101 – Annapolis, MD 21401 – www.NFIB.com/Maryland

TO: House Economic Matters Committee

FROM: NFIB – Maryland

DATE: February 7, 2023

RE: **OPPOSE HOUSE BILL 17** – Employment Standards – Retail Establishments – Seating for Employees

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 17 – legislation requiring retail employers to change their employee workstations, facility footprint, and floor plans to provide seating in the event the Commissioner of Labor and Industry believes an employee can reasonably complete their workplace duties in the seated position.

The language in HB17 is not workable for small businesses. Further, the bill requires the Commissioner of Labor and Industry to be the arbiter of what can “reasonably” be accomplished by an employee from the seated position in any industry.

The Americans with Disabilities Act (ADA) also covers areas of concern over access to seating for covered employees.

The enforcement provisions, specifically allowing the Attorney General to bring a class action lawsuit, is also of great concern to Maryland small business owners.

For these reasons **NFIB opposes HB17** and requests an unfavorable committee report.