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Montgomery County

Environment and Transportation  
Committee  
*Subcommittees*  
Environment  
Land Use and Ethics



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB17**

Testimony by Delegate Vaughn Stewart

February 7th, 2023 • Economic Matters Committee

**What the Bill Does:**

HB17 instructs retail businesses to provide their employees with a suitable seating option if the nature of the work can reasonably be performed while seated. In addition, retail businesses may not renovate or reconstruct their facility in a manner that requires an employee to stand if the workspace could be designed to allow seating for the employee. This bill applies only to retail stores, which as defined in Maryland Code 24-501 as ‘any establishment employing 20 or more full-time persons whose primary purpose is to sell consumers any goods, wares, food for consumption off the premises, or merchandise. The bill entitles retail employees to ‘suitable seating,’ which is defined as ‘a chair, stool, or bench that provides a flat surface to sit on and support for the back.’ The bill gives the Department of Labor the responsibility for establishing the criteria for whether a certain employee’s work can be performed while seated. Finally, the bill allows for employees to bring an action against their employer if they are denied appropriate seating.

**Why the Bill is Important:**

Prolonged standing at work without proper time to sit can have detrimental effects on the health of workers. The National Library of Medicine found that prolonged standing at work has been shown to be associated with a number of negative health effects including lower back and leg pain,

cardiovascular problems, fatigue, discomfort, and pregnancy complications.<sup>1</sup> They also noted that certain interventions such as the use of sit-stand workstations and chairs or floor mats may help reduce or prevent these adverse health effects.

According to a study by the American Journal of Epidemiology, people whose job requires them to stand are twice as likely to develop heart disease as those who work while seated. Standing for extended periods of time will cause blood to pool in the legs, forcing the body to work against gravity to redirect it to the heart. This increases pressure on the veins, which will lead to cardiovascular disease.<sup>2</sup> Retail workers face a higher risk of contracting these health effects because they often spend most of their shift standing up.

The German supermarket chain Aldi, which has about 50 locations in Maryland, allows its cashiers to sit down while working. In European grocery stores, it is common practice for cashiers to sit while working because they follow studies which have shown that it increases productivity. Aldi employees, in particular, receive performance review reports each shift that measure their ringing speed at checkout.<sup>3</sup> Because Aldi employees are expected to ring up approximately 1200 items per hour, they utilize worker seating to maximize efficiency.

### **Why the Committee Should Vote Favorably:**

HB17 would ensure that all workers who need to sit to be at their most productive and comfortable would have that option. It would boost work productivity and reduce negative health effects for workers. **On behalf of Maryland workers, I urge a favorable report on HB17.**

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<sup>1</sup> Waters TR, Dick RB. Evidence of health risks associated with prolonged standing at work and intervention effectiveness. *Rehabil Nurs*. 2015 May-Jun;40(3):148-65. doi: 10.1002/rnj.166. Epub 2014 Jul 7. PMID: 25041875; PMCID: PMC4591921.

<sup>2</sup> Smith P, Ma H, Glazier RH, Gilbert-Ouimet M, Mustard C. The Relationship Between Occupational Standing and Sitting and Incident Heart Disease Over a 12-Year Period in Ontario, Canada. *Am J Epidemiol*. 2018 Jan 1;187(1):27-33. doi: 10.1093/aje/kwx298. PMID: 29020132; PMCID: PMC5860480.

<sup>3</sup> Scott, Megan. "The Real Reason Aldi Cashiers Sit behind the Register." *Mashed.com*, Mashed, 22 June 2020, <https://www.mashed.com/219957/the-real-reason-aldi-cashiers-sit-behind-the-register/>.