

MHLA

Maryland Hotel Lodging Association

Testimony on behalf of the Maryland Hotel Lodging Association

In Opposition to HB 802

Labor and Employment – Mandatory Meetings on Religious or Political Matters – Employee Attendance and Participation

Economic Matters Committee - February 28, 2024

The Maryland Hotel Lodging Association (MHLA) serves as the sole statewide trade association dedicated to advocacy for Maryland's 750+ hotels. Our industry employs more than 25,000 individuals and provides the state with \$1 billion in state and local taxes, \$5 billion in total wages and salaries, and \$9 billion in total gross domestic product.

House Bill 802, often referred to as "Captive Audience" legislation, has been introduced around the country to limit employers' legal rights to effectively present their case to their employees during an organizing campaign. However, this bill is not simply about employees' ability to avoid forced political and religious messages in the workplace. The proposed language would go far beyond that purpose.

If passed, an employer may now have to consider whether discussions involving its position on matters of public importance, such as public health measures and COVID-19 vaccine mandates, fall within the definition of "legislation, regulations or public policy" or "religious matters".

Another emerging and common topic of conversation in the workplace is diversity, equity and inclusion. Like public health discussions, an employer may now have to consider whether DEI discussions and trainings fall within the undefined scope of an employer sponsored meeting with the primary purpose of communicating the employer's position on political matters. Under this law, employees could theoretically refuse to participate in employer-sponsored DEI discussions and trainings, claiming that these meetings involve the employer's views on "religious or political matters".

It would have a chilling effect on community and charity fundraising drives, whether required or not, due to uncertainty over "support of a community organization" falling under the definition of "political matters".

HB 802 is drafted in such a broad and vague way that it will dissuade important and necessary workplace communications, not just during organizing campaigns when the only way to ensure that workers can hear both sides without reprisal from coworkers is to require everyone to attend.

It should be noted that only six states in the country have a similar law – most of which have been challenged on First Amendment grounds. Connecticut passed a bill in 2022, but it is currently being challenged in Federal Court.

For these reasons, the Maryland Hotel Lodging Association respectfully requests an Unfavorable Report on HB 802.