



MARYLAND
Chamber of Commerce

**LEGISLATIVE POSITION:
UNFAVORABLE**

Senate Bill 750

Labor and Employment–Workers’ Compensation–Exceptions to Exclusivity of Liability

Senate Finance Committee

Tuesday, March 5, 2024

Dear Chairwoman Beidle and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic growth and recovery for Maryland businesses, employees, and families.

Senate Bill 750 would upend Maryland’s workers’ compensation system by allowing a covered employee, of the employee’s beneficiaries, to both file a claim for workers’ compensation **and** sue the employer for damages when the covered employee is injured or killed. Further, the bill is retroactive in nature going back to claims filed on or after January 1, 2022. This opens employers up to additional workers’ compensations claims and costs that in some cases may have already been settled.

Current statute already allows an employee to bring a civil suit against employers for a deliberate act, or they can file a workers’ compensation claim. SB 750 would instead allow for double recovery. Statute also already allows for civil suits against co-employees, as a third-party claim. SB 750 opens this up even further by allowing for civil suits against the employer for the acts of a co-employee. SB 750 also contains an overly broad definition of what constitutes a “deliberate act.”

The purpose of the workers’ compensation statute is to provide a balance between the interests of the injured workers, the employers, and the public to create a system that is “no fault” with statutory limits on recovery. Expanding exposure for employers to civil suits is antithetical to this agreement and unfairly tilts the balance of the system.

For these reasons, the Chamber respectfully requests an **unfavorable report** on SB 750.

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