



WMDA/CAR Service Station
and Automotive Repair Association

Chair: Melony Griffith and Members of Senate Finance Committee

SB436: Workplace Fraud and Prevailing Wage – Violations – Penalties and Referrals

Position: Oppose

My name is Kirk McCauley, my employer is WMDA/CAR, we represent service stations convenience stores and repair facilities across the state.

We opposed SB 436

SB 436 turns a civil penalty into a criminal penalty with prison term of up to 60 days for each employee not classified properly.

A criminal penalty for an employer who makes a mistake and then must depend on a commissioner or administrator law judge to decide if they knowingly made that mistake.

Does this legislative body really want to send a business owner to Jail for mistake in classifying an employee?

The current law allows for a \$5,000 penalty and can go to \$20,000 for a repeat offender. There are currently federal laws that apply also.

For these reasons I asked for a no vote on SB 436

Any questions can be addressed to Kirk McCauley, 301-775-0221,
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