

## **Testimony in Opposition to HB 1413**

Labor and Employment - Employer Communications During Nonworking Hours - Right to Disconnect

Economic Matters Committee – February 27, 2025

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 27,000 individuals and provides the state with \$2.4 billion in state and local taxes, \$7.2 billion in total wages and salaries, and \$10.6 billion in spending by hotel guests contributing to Maryland's economy.

<u>HB 1413</u> prohibits employers from requiring employees to communicate during nonworking hours, except in specific situations such as schedule changes within 24 hours, health or safety threats, operational disruptions, or potential physical or environmental damage. If an employer violates this policy, employees can file a complaint with the Commissioner, who can investigate, resolve the issue, and impose penalties.

This bill would be problematic in the hotel industry for many reasons. Our industry is unique and open continuously 365 days a week, 24 hours a day, 7 days per week — meaning communication is sometimes necessary throughout the day and night, regardless of work shifts — but with respect given to an employee's typical work schedule. The societal communication norm is through cell phones (either voice or text) — both to and from employers and employees. Most communication outside of working hours is initiated by associates and the need for open and unencumbered dialogue is required to provide an effective work environment for all.

Some examples are provided below:

- Schedule changes to posted weekly schedules based upon customers program agenda, anticipated arrival / departure changes, food & beverage amendments:
  - Scheduled in / out time due to customer changes outside employer control
  - Banquet start / end time, count changes, pop-up events, cancellations
- Employee communicating shift exchanges with other employees to employer
- Hotel assets missing or misplaced
- Need for employer to contact associates to cover open shifts
- Time sensitive customer communication from shift to shift clarification and/or changes to customer programs
- Benefits placed on apps and web platforms requiring assistance, sign up, notifications, employer provided UserID



Additionally, many major brands look to improve employee satisfaction and company pride through programs designed to engage employees with the surrounding community where they work and often live. Volunteer efforts may include park / neighborhood cleanups, tree plantings, donations (food, beverage, clothing, home staples, etc.), or participation in local events, to name a few. Communication – often outside of regular work hours - is required for coordination and execution of such events that are often held off-property.

While we wish to be respectful of an employee's right to disconnect while not working, this bill appears to apply an unworkable framework to employee/employer communications necessary for effective hotel operations and workplace morale.

For these reasons, we request an unfavorable report on HB 1413.

Respectfully submitted, Amy Rohrer, President & CEO