

233 - Favorable - 2025.pdf

Uploaded by: Debi Jasen

Position: FAV

House Bill 233 - Economic Matters Committee - FAVORABLE

Chair, Vice Chair, and Members of the Economic Matters Committee;

Please give House Bill 233, the Maryland Worker Freedom Act, a favorable report.

No one should be forced to listen to political or religious rants, especially in order to maintain employment. A company's values can be expressed in ways that don't put employees in uncomfortable or hostile situations. Please support House Bill 233. Thank you for your consideration.

Sincerely,
Debi Jasen
Pasadena, MD

HB 233 - Labor and Employment - Mandatory Meetings

Uploaded by: Donna Edwards

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

7 School Street • Annapolis, Maryland 21401-2096

Balto. (410) 269-1940 • Fax (410) 280-2956

President

Donna S. Edwards

Secretary-Treasurer

Gerald W. Jackson

**HB 233 - Labor and Employment - Mandatory Meetings on Religious or Political Matters -
Employee Attendance and Participation (Maryland Worker Freedom Act)
House Economic Matters Committee
January 30, 2025**

SUPPORT

**Donna S. Edwards
President
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to provide testimony in opposition to HB 233. My name is Donna S. Edwards, and I am the President of the Maryland State and DC AFL-CIO. On behalf of the 300,000 union members in the state of Maryland, I offer the following comments.

“Captive audience” meetings encourage unfair practices by undermining the fundamental rights of employees to decide for themselves whether or not to attend an employer-sponsored meeting, discussing political or religious matters while on the job. Under current law, employers have the power to make these meetings mandatory, oftentimes using intimidating or manipulating measures to enforce attendance. Many times, employees face dismissal, threats of being fired, refusal to hire, or other penalization if they choose not to attend. This creates a biased and tenuous work environment where employees are not free to make their own decisions and feel that they must agree with their employer’s views.

In 2023, Maryland took a significant step in protecting workers by passing HB 984, the Public Employee Relations Act, which included provisions that prohibited public employers from forcing employees to attend mandatory meetings where they share their personal beliefs on political or religious matters. HB 233 builds on this progress by expanding these protections to all sectors in Maryland.

This legislation ensures that employers cannot require attendance at meetings where they share their personal beliefs on political or religious matters, explicitly barring them from using retaliatory practices against employees who choose not to attend. Notably, this legislation does not infringe on an employer’s ability to share information required by law or casually communicate. Rather, it strikes a balance, creating a fair workplace where employees are free to form and hold their own opinions without fear of intimidation or retaliation.

HB 233 is a necessary step in protecting the rights of *all* workers in Maryland, promoting workplace fairness, and preventing the misuse of employer power. For these reasons, we urge a favorable report of HB 233.

Testimony on HB 233_ Maryland Worker Freedom Act.p

Uploaded by: Joe Vogel

Position: FAV

JOE VOGEL
Legislative District 17
Montgomery County

Ways and Means Committee

Subcommittees

Education

Revenues



The Maryland House of Delegates
6 Bladen Street, Room 224
Annapolis, Maryland 21401
410-841-3103 · 301-858-3103
800-492-7122 Ext. 3103
Joe.Vogel@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 233: Labor and Employment - Mandatory Meetings on Religious Matters - Employee Attendance and Participation (Maryland Worker Freedom Act)

Economic Matters Committee

Thursday, January 30, 2025 - 1:00 PM

Chair Wilson, Vice Chair Crosby, and Members of the Economic Matters Committee,

Captive Audience meetings are the tool of choice for union busters, in which an employer holds a mandatory meeting during working hours for the purpose of discouraging employees from organizing and participating in a union. Connecticut, Maine, Minnesota, New York, Washington, Vermont, Oregon, Hawaii, and several other states have recently enacted legislation prohibiting captive audience meetings.

A recent ruling by the National Labor Relations Board determined captive audience meetings are unlawful under the National Labor Relations Act, as they are used to interfere with, restrain, or coerce employees in exercising the right to unionize.

However, this decision could be challenged under this incoming administration, as just this week President Trump removed the NLRB General Counsel who initiated the review of captive audience meetings. Therefore, it is imperative to establish this legislation under state law in order to protect our workers.

The Maryland Worker Freedom Act would protect employees from retaliation and threats including discharge, discipline, and other penalties assessed as a result of the employee declining to attend or participate in an employer-sponsored meeting during which the employer communicates their opinion regarding religious matters or political matters. The bill would prohibit employers from refusing to hire an applicant as a result of the applicant's refusal to attend or participate in a meeting as defined above. Religious matters prohibited in this context relate to religious belief, affiliation, practice, or the decision to join or support a religion. Political matters prohibited in this context relate to elections for political office; political parties; proposals to change legislation, regulations, public policy; or the decision to join or support a potential civic, community, fraternal, or labor organization.

This Act does not prohibit employers from communicating information that is required by law, and neither does it prohibit employers from hosting voluntary meetings on religious or political matters.

I urge the committee to give a favorable report on HB 233.

UFCW 400 Favorable Written Testimony for HB0233 -

Uploaded by: Kayla Mock

Position: FAV

Testimony in Support of HB 0233

**Labor and Employment – Mandatory Meetings on Religious or Political Matters –
Employee Attendance and Participation
(Maryland Worker Freedom Act)**

January 28, 2025

To: Honorable Chair CT Wilson, Vice Chair Brian Crosby, and members of the House Economic
Matters Committee

From: Kayla Mock, Political & Legislative Director

United Food and Commercial Workers Union, Local 400

Chair Wilson and members of the House Economic Matters Committee, I appreciate the chance to share my testimony on behalf of our over 10,000 members in Maryland, working in grocery, retail, food distribution, cannabis, and health care. Through collective bargaining, our members raise the workplace standards of wages, benefits, safety, and retirement for all workers. Union members are critical to the addressing inequality and uplifting the middle class.

We strongly support HB0233 and urge you to vote it favorably.

According to an Economic Policy Institute article from December 2024 titled, “Tackling the Problem of Captive Audience Meetings: How States are Stepping Up to Protect Workers Rights and Freedoms,” “political and religious coercion in the workplace is a growing problem affecting workers from all backgrounds and across the political spectrum. U.S. employers have tremendous power over worker conduct under current federal laws. For example, employers can require workers to attend “captive audience” meetings—and force employees to listen to political, religious, or anti-union employer views—*on work time*.

Legislatures in 18 states have advanced anti captive audience laws to ensure that workers on the job still have the freedom of choice on attending political and religious meeting on the job site, and six have enacted these laws.

A few things to note:

1. This does not ban employers from holding such meetings. An employer, if they choose, can still hold a meeting for workers on political and religious topics.
2. It gives the worker the right to say no to attending these meetings. In states where captive audience laws are not in place, workers are forced to stay and listen to political and religious rhetoric without the right to say no.
3. All workers without a contract are at-will employees, meaning they can be fired at any time, for any reason. Workers fear retaliation, discipline, and even termination if they refuse to sit in a captive audience meeting.
4. The National Labor Relations Board recently issued a ruling banning captive audience meetings. However, the new Administration has indicated rolling back many of the protections for workers that have been enacted.

We appreciate Maryland's commitment to protect its most vulnerable citizens. And now, we believe those protections should be extended to workers to exercise freedoms in their workplace.

For all of these reasons and more, we urge a favorable report on HB0233.

2025 - HB 0233 - Maryland Worker Freedom Act.pdf

Uploaded by: Ken Phelps Jr

Position: FAV



TESTIMONY IN SUPPORT OF HB 0233

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

(Maryland Worker Freedom Act)

Economic Matters Committee

FAVORABLE

TO: Del. C. T. Wilson, Chair; Del. Brian M. Crosby Vice-Chair; and the Members of the House Economic Matters Committee

FROM: Rev. Kenneth Phelps, Jr., The Episcopal Diocese of Maryland

DATE: January 30, 2025

The Episcopal Church believes in the free practice of religion and “encourages all Episcopalians and all people of good will to ponder anew the horror of religious bigotry and rededicate themselves to purging from their own souls and society all traces of such racism and religious bigotry, including and especially anti-Semitism and Islamophobia.” Episcopalians are called to remember, in prayer and action, that God creates all humankind equal, that God enlightens every human who enters the world – bidden or unbidden - and that God as Spirit goes where it wants, and not in accordance with divisions contrived by humans, and that racism and religious bigotry are utterly incompatible with belief in Christ -- a fact all Christians must each reflect in word and deed.

We also believe that freedom of religion is also freedom from religion. The same extends to the political ideologies. People are entitled to their own opinions – even bad ones – but not to the extent that they bring physical, emotional, economic or spiritual harm to another.

This bill would give workers recourse when confronted by religious bias and bigotry or political intimidation.

The Diocese of Maryland requests a favorable report.

HB233 - PJC - Fav.pdf

Uploaded by: Lucy Zhou

Position: FAV



Lucy Zhou
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 245
zhoul@publicjustice.org

HB233: Labor and Employment – Mandatory Meetings on Religious or Political Matters – Employee Attendance and Participation (Maryland Worker Freedom Act)

Hearing before the House Economic Matters Committee, January 30, 2025

Position: FAVORABLE

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. Our Workplace Justice Project supports workers' rights to fair compensation and dignity in the workplace. **The PJC supports HB233, which prohibits an employer from retaliating against an employee who declines to attend or participate in an employer-sponsored meeting during which the employer communicates their views regarding religious or political matters, including their views on unionization.**

The problem:

- **“Captive audience” meetings, or mandatory meetings called by an employer to express their views against unionization, are a tool frequently used by employers as a union-busting tactic.** Maryland law currently allows employers to require workers to attend these meetings and force workers to listen to the employer’s religious or political views, including views discouraging workers from organizing and participating in a union.
- **Maryland law currently does not protect employers from retaliating against workers or job applicants who choose not to attend or participate in captive audience meetings.** Most workers are “at will,” meaning that employers can terminate them at any time and for any reason unless doing so would violate the law or a collective bargaining agreement. Low-wage workers—who are disproportionately women, people of color, and immigrants—may feel particularly compelled to attend captive audience meetings so as not to risk being penalized or fired, which would impair their ability to provide for themselves and their families.

HB233’s solution:

- **HB233 would prohibit an employer from retaliating or threatening to retaliate against an employee for declining to attend or participate in an employer-sponsored meeting during which the employer communicates views on religious or political matters.** Importantly, HB233 does not prohibit employer speech on religious or political matters. It simply clarifies that if an employer holds a meeting involving religious or political matters, employee attendance and participation must be *voluntary*, and that the employer cannot retaliate against any workers or job applicants who choose not to attend or participate.

- **Workers should have the freedom to opt out of meetings where employers are communicating personal religious or political views.** Indeed, many other states, including Connecticut, Maine, Minnesota, New Jersey, New York, and Oregon, have passed similar legislation, recognizing the importance of guarding against political and religious coercion in the workplace.

For the foregoing reasons, the PJC **SUPPORTS HB233** and urges a **FAVORABLE** report. If you have any questions, please call Lucy Zhou at 410-625-9409 ext. 245.

HB0233_FAV_mgoldstein 2025.pdf

Uploaded by: Mathew Goldstein

Position: FAV



Secular Maryland <https://secularmaryland.dorik.io> secularmaryland@tutanota.com

January 30, 2025

HB 233 - FAV

Labor and Employment - Mandatory Meetings on Religious or Political Matters -
Employee Attendance and Participation (Protecting Workers From Captive Audience
Meetings Act)

Dear Chair C. T. Wilson, Vice-Chair Brian M. Crosby, and Members of the Economic
Matters Committee,

Seven states, Connecticut, Maine, Minnesota, New Jersey, New York, Oregon, and Washington have enacted laws designed to protect employees' dignity and freedom of thought and association by prohibiting employers from requiring employees to attend employer-sponsored meetings intended to communicate the employer's opinions on religious or political matter that are unrelated to job tasks or performance. Secular Maryland enthusiastically endorses this bill, which empowers workers to opt out of unwelcome political and religious speech by protecting them from financial harm or retaliation if they choose not to attend such meetings.

The 2010 Supreme Court decision *Citizens United v. Federal Election Commission* gave employers the green light to hold political captive audience meetings. In the absence of a collective bargaining agreement, most workers are considered "at-will" employees who can be terminated at any time. Employers can exercise vast authority over employees' lives, including their political activities or freedom of association.

Fortunately, states can legislate to protect workers from unwanted speech, as affirmed by the Supreme Court's 1988 ruling *Frisby v. Schultz*.

A 2015 study [Hertel-Fernandez, Alexander. (2016). How Employers Recruit Their Workers into Politics—And Why Political Scientists Should Care. *Perspectives on Politics*. 14. 410-421. 10.1017/S1537592716000098.] revealed how widespread political communication is in U.S. workplaces. One in four U.S. workers has been contacted by their employer regarding a political matter. Of these workers, 20% (representing 5% of all U.S. workers) received messages from their boss that included one or more threats of job loss, business closure, or changes to wages and hours. Under current federal labor and employment laws, it is perfidiously legal for an employer to threaten, discipline, or terminate an employee for objecting to their boss's political views

Mathew Goldstein

3838 Early Glow Ln

Bowie, MD

.

Written Testimony HB 233_ Maryland Worker Freedom

Uploaded by: Matthew Girardi

Position: FAV



Statement of the Amalgamated Transit Union (ATU) Local 689

HB 233 - Maryland Worker Freedom Act
January 28th, 2025

TO: The Honorable C.T. Wilson and Members of the Economic Matters Committee
FROM: Matthew Girardi, Political and Communications Director, ATU Local 689

ATU Local 689 strongly supports HB 233 and urges this Committee to issue a favorable report. This bill is a necessary measure to secure workers' rights and give power to working class people in Maryland.

At Local 689, we represent over 15,000 transit workers and retirees throughout the Washington DC Metro Area. performing many skilled transportation crafts for the Washington Metropolitan Area Transit Authority (WMATA), MetroAccess, DASH, and DC Streetcar among others. Our union helped turn low-wage, exploitative transit jobs into transit careers. We became an engine for the middle-class of this region.

Throughout our union's history, we have unfortunately had to fight tooth and nail to get fairness for our members. Be it a living wage, a secure retirement system, quality health insurance, or stable hours, Local 689 has been on the front lines of the fights to bring a decent quality of life to blue-collar workers. However, we know all too well that companies will play dirty tricks like using captive audience meetings to scare workers into supporting their agenda. This must stop.

HB 233, the Maryland Worker Freedom Act, is an incredible vehicle for us to do so. It would make sure that workers are not forced to attend these meetings where company political, religious, or labor relations views are forced on them and are able to leave without fear of reprisal. We know that democracy is not just a philosophy, it is an action. Workers who have their own beliefs, be them political, religious, or about whether to join with their coworkers to collectively bargain, should not be forced to sit idly by and accept those of their employers.

Sadly, the Union knows that this was all too common. In fact, according to a 2015 survey, one in four workers had been directly contacted by their employer on political matters. Of those, 20% had been directly threatened with changes to wages, hours, or even employment status¹. Additionally, these forced meetings are used to coerce employees into voting against Unions. The NLRB found that captive audience meetings are used in response to 89% of unionization drivers and have had a profoundly chilling effect on the results of these efforts to unionize². Likewise, these meetings can be used to target particularly vulnerable workers, including Black, brown, immigrant, disabled, young, and LGBTQ+ individuals.

Thankfully, the federal government under the Biden administration made these meetings illegal. However, in the face of a much less pro-worker administration, the rule that banned them faces deep threat. It is incumbent on Maryland to be a leader and ensure that these tactics never return to our state, no matter who sits in the White House.

¹ Alexander Hertel-Fernandez, "How Employers Recruit Their Workers into Politics—and Why Political Scientists Should Care," *Perspectives on Politics* 14, no. 2 (June 2016): 410–21, <https://doi.org/10.1017/s1537592716000098>.

² *NO HOLDS BARRED: The Intensification of Employer Opposition to Organizing* (Washington, DC: Economic Policy Institute, 2009).

At Local 689 we represent people from all backgrounds, religions, races, sexual orientations, and political views. One shouldn't have to adhere to one political ideology or religion to work in transit. In fact, it is better that one does not. Serving the riding public means serving everyone who walks onto your van, shuttle, bus, or train. Workers should not be beholden to management's political, religious, or labor management views, because frankly, that is not their job. It is their job to move people, and should they decide to form a Union, they should be free to do so without coercion.

The Union thanks Delegate Vogel for introducing this worthy measure and urges the committee to issue a favorable report.

HB 233 - Labor and Employment - Mandatory Meetings

Uploaded by: Michael McMillan

Position: FAV

Amalgamated Transit Union Local 1300

126 W. 25th Street, Baltimore, Maryland 21218
Telephone: 410-889-3566 Facsimile: 410-243-5541
www.atu1300.org

Proudly representing the transit workers of the MTA!



HB 233 - Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Maryland Worker Freedom Act)

Favorable

House Economic Matters Committee

January 30th, 2025

ATU Local 1300 represents over 3,000 transit workers at the Maryland Transit Administration (MTA). This includes bus operators, bus mechanics, rail operators, rail maintenance workers, and more. Our members keep Maryland moving every day.

Captive audience meetings are a violation of a worker's freedom of speech. They are a form of compelled political activity that violates the constitution. We were glad to see that the National Labor Relations Board (NLRB) banned captive audience meetings as an unfair labor practice that is prohibited by federal law. Unfortunately, with a changing NLRB likely to occur in the next few months, these protections will be rolled back and workers will be subjected to mandatory political and religious meetings held by their employers, unless the Maryland General Assembly intervenes.

We urge the committee to issue a favorable report on this bill.

Testimony in support of HB0233_Maryland_Worker_Fre

Uploaded by: Richard KAP Kaplowitz

Position: FAV

HB0233_RichardKaplowitz_FAV
1/30/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON HB#0233 - FAVORABLE

Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Maryland Worker Freedom Act)

TO: Chair Wilson, Vice Chair Crosby, and members of the Economic Matters Committee

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#0233, Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Maryland Worker Freedom Act)

This bill will protect employees and potential employees from tactics used by an employer to force the religious or political views of that employer to be forced upon those unwitting members of their staff.

The intention of the bill is to prohibit employers from taking certain adverse actions against an employee or applicant for employment because the employee or applicant declines to attend or participate in employer-sponsored meetings during which the employer communicates the opinion of the employer regarding religious matters or political matters.

Just because you are employed by someone doesn't confer the right to proselytize to you on matters of faith or political affiliation. This bill will protect employees and potential employers from being forced to accept that conduct.

I respectfully urge this committee to return a favorable report on HB#0233.

HB233_MSEA_Zwerling_FAV.pdf

Uploaded by: Samantha Zwerling

Position: FAV

FAVORABLE
House Bill 233

**Labor and Employment – Mandatory Meetings on Religious or Political
Matters – Employee Attendance and Participation (Maryland Worker
Freedom Act)**

Economic Matters Committee
January 30, 2025

Samantha Zwerling
Government Relations

The Maryland State Education Association supports House Bill 233. House Bill 233 prohibits an employer from engaging in adverse employment actions, such as discharge or discipline of an employee, if the employee declines to attend or participate in an employer-sponsored meeting during which the employer communicates their opinion regarding religious or political matters, including the employer's view on the decision to join a labor union.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

Employers routinely deploy captive audience meetings as a union-busting tactic. Often, when workers seek to organize together and form a union an employer in response will require workers to attend mandatory meetings where they are subjected to anti-union propaganda and may not have the right to ask questions or hear differing viewpoints on the subject matter. Research that examined elections conducted by the National Labor Relations Board between 1999 – 2003 showed that 89% of employers conducted captive audience meetings in response to unionization efforts by their employees.¹ The same research found that captive audience meetings

¹ Daniel Perez and Jennifer Sherer, Tackling the problem of 'captive audience' meetings: How states are stepping up to protect workers' rights and freedoms. Economic Policy Institute (October 24, 2023), <https://www.epi.org/blog/captive-audience-meetings/>.

caused the average union election win rate to decline from 73% to 47%.² Employers spend an estimated \$400 million a year utilizing the services of union avoidance consultants who specialize in defeating unionization drives, often by using captive audience meetings as part of their union-defeating tactics.³

In response to these tactics, more states are enacting legislation to ensure employees may opt out of these meetings without fear of retaliation by their employers.⁴ Workers should not fear retaliation by their employers for declining to participate in a meeting where their employer is sharing their opinion on religious or political matters. House Bill 233 will provide workers with the protection they need to exercise their own choice in determining whether to attend these types of meetings.

We urge the committee to issue a Favorable Report on House Bill 233.

² Id.

³ Id.

⁴ Id.

SEIU Local 500 Testimony - HB 233, (Maryland Worke

Uploaded by: Terrence Cavanagh

Position: FAV



Testimony - HB 233, Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance & Participation (Maryland Worker Freedom Act)

Favorable

House Economic Matters Committee

January 30, 2025

Terrence Cavanagh

On Behalf of SEIU Local 500

Honorable Chairman Wilson and Members of the House Economic Matters Committee:

The members of SEIU Local 500, stand over 23,000 workers strong and express our wholehearted support for House Bill 233, the Maryland Worker Freedom Act. This bill is vital for safeguarding workers' personal beliefs and ensuring that our workplaces remain spaces of mutual respect, free from undue influence.

At its core, HB 233 ensures that employees are not forced to engage in employer-sponsored meetings that address religious or political matters. It is fundamental that individuals retain the right to make their own choices regarding their beliefs without being pressured in the workplace. This bill upholds the principle that employees should not face negative consequences for maintaining their personal convictions, whether they align with their employer's views or not, including their right to form a union in their workplace.

Employers should not use their position of power to impose religious or political views on their employees. Unfortunately, some workplaces may exert undue pressure on employees to attend such meetings, creating a climate of fear or anxiety for those who prefer to keep their personal beliefs private. HB 233 would ensure that employees can feel secure in their right to say "no" without fear of retaliation, whether that means a denial of promotions, disciplinary action, or even being passed over for job opportunities.

Maryland's workplaces should be environments that encourage diverse ideas and perspectives, where employees can focus on their work without the risk of their personal

beliefs being used against them. By passing this bill, we can help ensure that Maryland's workplaces continue to be inclusive, where employees are valued for their skills and contributions, rather than their political or religious affiliations.

No individual should feel compelled to disclose or discuss their personal beliefs in a work setting, especially when such disclosure could lead to discrimination or retaliation. This bill safeguards that right, ensuring that employees are not forced into situations where their private lives are scrutinized or judged based on their participation in employer-sponsored meetings on these sensitive matters.

This legislation will help protect workers from discriminatory practices that could stem from disagreements with an employer's political or religious views. As we know, such beliefs can be deeply personal, and it is crucial that workers are not penalized simply because they disagree with their employer's opinions. HB 233 promotes fairness and equity in the workplace, helping to prevent discrimination based on personal convictions.

The Maryland Worker Freedom Act (HB 233) is an essential step toward ensuring that employees are treated with dignity and respect, regardless of their political or religious beliefs. By prohibiting employers from taking adverse actions against employees or applicants for choosing not to attend employer-sponsored meetings on these topics, we protect workers' autonomy and privacy. This bill helps foster a more inclusive, fair, and respectful work environment across the state and helps ensure that Maryland remains a leader in worker protections.

We strongly urge the members of this committee to support House Bill 233 and ask for a favorable report.

Thank you for your time and consideration.

Terrence Cavanagh
On Behalf of SEIU Local 500

HB 233 Maryland Worker Freedom Letter 01-30-2025.p

Uploaded by: Thomas Doyle

Position: FAV

EXECUTIVE OFFICES

TEAMSTERS JOINT COUNCIL No. 62

AFFILIATED WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS



OFFICERS

— —
President
SEAN CEDENIO

Vice President
MARK GAREY

Secretary – Treasurer
RICH BROWN

Recording Secretary
DAVID WHITE

Trustees
THOMAS KRAUSE
MICHAEL PETRO
WILLIAM HEIL

Maryland House of Delegates
Economic Matters Committee
Room 231
Taylor House Office Building
Annapolis, MD 21401

January 30, 2025

Chair Wilson and Members of the Committee:

Americans approve of and want to join a union – the evidence is clear. In an era of extreme income inequality, economic uncertainty, and the COVID-19 pandemic proving that all essential work should be valued accordingly – unions are viewed more favorably now than at any point in the last 57 years. However, even with union support at 70% across America in recent Gallup polling and 53% of all workers saying they would join a union if they could, workers still struggle to form unions.¹

Between anti-worker laws and weak employer penalties for violating existing laws, workers are fearful to exercise their right to stand with their coworkers and negotiate a fair contract with their employer. One major reason for this fear is the nearly half-a-billion-dollar union busting industry, where employers spend nearly \$340 million per year hiring “union avoidance advisers”, better known as “union busters.”²

One major tactic used by “union busters” is the “captive audience” meeting, which forces workers to listen to the political opinions of their bosses in closed-door, mandatory meetings during work hours. Under the threat of workplace discipline or termination, workers must attend and listen to their bosses and these highly paid consultants mischaracterize unions.

HB 233, the Maryland Worker Freedom Act, protects workers and their first amendment free speech rights by allowing workers to ***not*** participate in mandatory work meetings where the

¹ <https://www.usatoday.com/story/money/2023/08/29/majority-of-americans-support-labor-unions-poll-finds/70713278007/>

² <https://www.epi.org/publication/unlawful-employer-opposition-to-union-election-campaigns/>

topic is the employer's political or religious position. The bill states that any employer shall not threaten discipline or terminate a worker who chooses not to participate in meetings or view communications concerning political or religious matters.

It is important to note that the bill is broader than just whether or not to join a union. Some of these issues include, but are not limited to, voicing support for or opposition to political candidates, legislation and campaigns; promoting religious practices or affiliations, and; discussing membership in a civic, community, or labor organization.

In Connecticut, a similar law was passed in 2022, with support from the state's Attorney General, who testified that the bill was beyond the reach of federal preemption and that the U.S. Supreme Court has expressly recognized that the First Amendment permits government to protect the interest of an unwilling listener who cannot avoid speech [(Hill v. Colorado, 530 U.S. 703, 716-17 (2000); Frisby v. Schultz, 487 U.S. 474, 487 (1988)].³ Since then, similar bills have been signed into law in Minnesota, Maine, New York, Washington, Illinois, Vermont, Hawaii, and California. This past November, a similar bill was approved by voters in a ballot initiative in Alaska. With this bill, Maryland has the opportunity to join these states in being an outspoken defender of individual rights in the workplace.

I urge you to stand up of working Marylanders by voting 'yes' on HB 233 when it comes before the Committee.

Respectfully,



Sean Cedenio, President
Teamsters Joint Council 62

³ <https://www.cga.ct.gov/2022/JUDdata/Tmy/2022SB-00163-R000304-Tong,%20William,%20Attorney%20General-State%20of%20Connecticut-TMY.PDF>

Teamsters Joint Council 62 - Support of HB 233.pdf

Uploaded by: Thomas Doyle

Position: FAV

EXECUTIVE OFFICES

TEAMSTERS JOINT COUNCIL No. 62

AFFILIATED WITH THE

INTERNATIONAL BROTHERHOOD OF TEAMSTERS



OFFICERS

--

President
SEAN CEDENIO

Vice President
MARK GAREY

Secretary – Treasurer
RICH BROWN

Recording Secretary
DAVID WHITE

Trustees
THOMAS KRAUSE
MICHAEL PETRO
WILLIAM HEIL



Maryland House of Delegates
Economic Matters Committee
Room 231
Taylor House Office Building
Annapolis, MD 21401

January 30, 2025

Chair Wilson and Members of the Committee:

Americans approve of and want to join a union – the evidence is clear. In an era of extreme income inequality, economic uncertainty, and the COVID-19 pandemic proving that all essential work should be valued accordingly – unions are viewed more favorably now than at any point in the last 57 years. However, even with union support at 70% across America in recent Gallup polling and 53% of all workers saying they would join a union if they could, workers still struggle to form unions.¹

Between anti-worker laws and weak employer penalties for violating existing laws, workers are fearful to exercise their right to stand with their coworkers and negotiate a fair contract with their employer. One major reason for this fear is the nearly half-a-billion-dollar union busting industry, where employers spend nearly \$340 million per year hiring “union avoidance advisers”, better known as “union busters.”²

One major tactic used by “union busters” is the “captive audience” meeting, which forces workers to listen to the political opinions of their bosses in closed-door, mandatory meetings during work hours. Under the threat of workplace discipline or termination, workers must attend and listen to their bosses and these highly paid consultants mischaracterize unions.

HB 233, the Maryland Worker Freedom Act, protects workers and their first amendment free speech rights by allowing workers to ***not*** participate in mandatory work meetings where the

¹ <https://www.usatoday.com/story/money/2023/08/29/majority-of-americans-support-labor-unions-poll-finds/70713278007/>

² <https://www.epi.org/publication/unlawful-employer-opposition-to-union-election-campaigns/>

topic is the employer's political or religious position. The bill states that any employer shall not threaten discipline or terminate a worker who chooses not to participate in meetings or view communications concerning political or religious matters.

It is important to note that the bill is broader than just whether or not to join a union. Some of these issues include, but are not limited to, voicing support for or opposition to political candidates, legislation and campaigns; promoting religious practices or affiliations, and; discussing membership in a civic, community, or labor organization.

In Connecticut, a similar law was passed in 2022, with support from the state's Attorney General, who testified that the bill was beyond the reach of federal preemption and that the U.S. Supreme Court has expressly recognized that the First Amendment permits government to protect the interest of an unwilling listener who cannot avoid speech [(Hill v. Colorado, 530 U.S. 703, 716-17 (2000); Frisby v. Schultz, 487 U.S. 474, 487 (1988)].³ Since then, similar bills have been signed into law in Minnesota, Maine, New York, Washington, Illinois, Vermont, Hawaii, and California. This past November, a similar bill was approved by voters in a ballot initiative in Alaska. With this bill, Maryland has the opportunity to join these states in being an outspoken defender of individual rights in the workplace.

I urge you to stand up of working Marylanders by voting 'yes' on HB 233 when it comes before the Committee.

Respectfully,



Sean Cedenio, President
Teamsters Joint Council 62

³ <https://www.cga.ct.gov/2022/JUDdata/Tmy/2022SB-00163-R000304-Tong,%20William,%20Attorney%20General-State%20of%20Connecticut-TMY.PDF>

HB 233 - UNF - MHLA.pdf

Uploaded by: Amy Rohrer

Position: UNF

MHLA

Maryland Hotel Lodging Association

Testimony in Opposition to HB 233

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

Economic Matters Committee - January 30, 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 25,000 individuals and provides the state with \$2 billion in state and local taxes, \$6 billion in total wages and salaries, and \$9 billion in spending by hotel guests contributing to Maryland's economy.

House Bill 233, 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 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 233 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 a small number of states in the country have a similar law – less than a dozen. And there is an active legal challenge in three of those states – California, Connecticut and Minnesota.

For these reasons, the Maryland Hotel Lodging Association respectfully requests an Unfavorable Report on HB 233.

Respectfully submitted,

Amy Rohrer, President & CEO

AUC of Maryland_HB233_UNFAV.pdf

Uploaded by: Andrew Griffin

Position: UNF



BOARD MEMBERS

Thomas Linton
President

Lavern Dettman
Vice President

Bruce Bergeron
Treasurer

Keith Eagle
Past President

Artie Bell

Robert Brode

Thomas J. Iacoboni

Tim Kaptein

William Leibbrandt

Phil Ligon

Raymond Marocco, Jr.

Dominic Pope

Matthew Ruddo

Jason Sebald

Ian Stambaugh

January 30, 2025

Legislative Position: Unfavorable
House Bill 233

Labor and Employment - Mandatory Meetings on Religious
or Political Matters - Employee Attendance and Participation
House Economic Matters Committee

Dear Chairman Wilson and members of the committee:

Established in 1950, the Associated Utility Contractors of Maryland, Inc. (AUC) is dedicated to advancing the utility contracting industry across the state. Our mission is to foster strong relationships between utility contractors and their clients, uphold the highest professional standards within the industry, and elevate the reputation of utility professionals within the business community. We actively advocate for public policies that address industry challenges and contribute to improving Maryland's overall business environment.

As introduced, HB 233 would, among other things, prohibit a Maryland employer from exercising its constitutional and statutory right to speak to its employees about "political issues," which the bill defines to include "the decision to join or support any labor union." As set forth in detail below, HB 233 presents significant constitutional, statutory, and economic concerns. AUC believes that this legislation places unconstitutional restrictions on employers' freedom of speech, its preemptive nature conflicts with federal labor laws, and the adverse effects on Maryland's business climate and economy are significant.

Constitutional Concerns

HB 233 directly violates the First and Fourteenth Amendments of the U.S. Constitution by impeding employers' rights to express their viewpoints on political matters, including issues related to labor and unionization. By regulating the content of employers' communications with their employees, this legislation unlawfully restricts freedom of speech and inhibits employers from sharing vital information on matters of public concern. Moreover, the bill's broad and vague definitions of "political matters" introduce further constitutional concerns, as they fail to provide clear guidance to employers and may result in arbitrary enforcement. If enacted, this legislation would likely be subject to immediate legal challenges.



BOARD MEMBERS

Thomas Linton
President

Lavern Dettman
Vice President

Bruce Bergeron
Treasurer

Keith Eagle
Past President

Artie Bell

Robert Brode

Thomas J. Iacoboni

Tim Kaptein

William Leibrandt

Phil Ligon

Raymond Marocco, Jr.

Dominic Pope

Matthew Ruddo

Jason Sebald

Ian Stambaugh

By its express terms, HB 233 would regulate speech on “matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization.” As “the legislature is constitutionally disqualified from dictating the subjects about which persons may speak and the speakers who may address a public issue,” HB 322 violates Maryland employers’ rights. See *First Nat’l Bank of Boston v. Bellotti*, 435 U.S. 765, 784-85 (1978).

Conflict with Federal Labor Laws

HB 322 is preempted by federal labor law, particularly Section 8(c) of the National Labor Relations Act (NLRA). This provision explicitly safeguards employers’ rights to express their views on labor-related issues including politics and unionization, without fear of reprisal or penalty. The NLRA also safeguards the right to require employees to attend meetings or otherwise view communications about those issues. This legislation would create a new Article 3-718 under Maryland’s Labor and Employment Code which would eviscerate these rights. HB 802’s attempt to regulate employer speech directly contradicts the protections afforded by the NLRA and undermines the balance of labor relations established at the federal level. The NLRA comprehensively regulates labor matters throughout the United States. See *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959) (forbidding states to regulate activity that the NLRA protects, prohibits, or arguably protects or prohibits) (“Garmon preemption”) & *Machinists v. Wisconsin Employment Relations Comm’n*, 427 U.S. 132, 140 (1976) (forbidding both the National Labor Relations Board (NLRB) and states from regulating conduct that Congress intended be left to be controlled by the free play of economic forces) (“Machinists preemption”).

Anti-Competitive Impact

HB 322 denies employers their Constitutional right to speak about a range of important issues. The legislation sends a negative message to Maryland’s business community. At a time when Governor Moore is pushing a “growth agenda” for Maryland’s business climate in a season when state and local budgetary challenges are becoming impossible to ignore, telling Maryland’s business community that they must now

Whitney Beall
EXECUTIVE DIRECTOR

PO Box 249
Annapolis Junction, MD 20701

P. 410-750-2554
whitney@aucofmd.com



BOARD MEMBERS

Thomas Linton
President

Lavern Dettman
Vice President

Bruce Bergeron
Treasurer

Keith Eagle
Past President

Artie Bell

Robert Brode

Thomas J. Iacoboni

Tim Kaptein

William Leibrandt

Phil Ligon

Raymond Marocco, Jr.

Dominic Pope

Matthew Ruddo

Jason Sebald

Ian Stambaugh

litigate to protect their First Amendment rights sends a devastating message.

HB 322 poses a significant threat to Maryland's economic competitiveness and business climate. By depriving employers of their constitutional rights and introducing legal uncertainty, this bill creates a hostile environment for businesses, discouraging investment and hindering economic growth. Maryland's already sluggish economic performance will continue to decline if HB 322 is enacted, leading to business out-migration and diminished prospects for attracting new enterprises.

For these reasons, the Associated Utility Contractors of Maryland respectfully **requests an unfavorable report on HB 322.**

Sincerely,

The Associated Utility Contractors of Maryland (AUC)

HCCC_HB 233_UNFAV.pdf

Uploaded by: Andrew Griffin

Position: UNF



January 30, 2025

Legislative Position: Unfavorable
House Bill 233
Labor and Employment - Mandatory Meetings on Religious
or Political Matters - Employee Attendance and Participation
House Economic Matters Committee

Dear Chairman Wilson and members of the committee:

Founded in 1969, the Howard Chamber of Commerce is dedicated to helping businesses—from sole proprietors to large international firms—grow and succeed. With the power of 700 members that encompass more than 170,000 employees, the Howard County Chamber is an effective partner with elected officials and advocates for the interests of the county’s business community.

As introduced, HB 233 would, among other things, prohibit a Maryland employer from exercising its constitutional and statutory right to speak to its employees about “political issues,” which the bill defines to include “the decision to join or support any labor union.” As set forth in detail below, HB 233 presents significant constitutional, statutory, and economic concerns. The Howard County Chamber believes that this legislation places unconstitutional restrictions on employers’ freedom of speech, its preemptive nature conflicts with federal labor laws, and the adverse effects on Maryland’s business climate and economy are significant.

Constitutional Concerns

HB 233 directly violates the First and Fourteenth Amendments of the U.S. Constitution by impeding employers’ rights to express their viewpoints on political matters, including issues related to labor and unionization. By regulating the content of employers communications with their employees, this legislation unlawfully restricts freedom of speech and inhibits employers from sharing vital information on matters of public concern. Moreover, the bill’s broad and vague definitions of “political matters” introduce further constitutional concerns, as they fail to provide clear guidance to employers and may result in arbitrary enforcement. If enacted, this legislation would likely be subject to immediate legal challenges.

By its express terms, HB 233 would regulate speech on “matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization.” As “the legislature is constitutionally disqualified from dictating the subjects about which persons may speak and the speakers who may address a public issue,” HB 322 violates Maryland employers’ rights. See *First Nat’l Bank of Boston v. Bellotti*, 435 U.S. 765, 784-85 (1978).



Conflict with Federal Labor Laws

HB 322 is preempted by federal labor law, particularly Section 8(c) of the National Labor Relations Act (NLRA). This provision explicitly safeguards employers' rights to express their views on labor-related issues including politics and unionization, without fear of reprisal or penalty. The NLRA also safeguards the right to require employees to attend meetings or otherwise view communications about those issues. This legislation would create a new Article 3-718 under Maryland's Labor and Employment Code which would eviscerate these rights. HB 802's attempt to regulate employer speech directly contradicts the protections afforded by the NLRA and undermines the balance of labor relations established at the federal level. The NLRA comprehensively regulates labor matters throughout the United States. See *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959) (forbidding states to regulate activity that the NLRA protects, prohibits, or arguably protects or prohibits) ("Garmon preemption") & *Machinists v. Wisconsin Employment Relations Comm'n*, 427 U.S. 132, 140 (1976) (forbidding both the National Labor Relations Board (NLRB) and states from regulating conduct that Congress intended be left to be controlled by the free play of economic forces) ("Machinists preemption").

Anti-Competitive Impact

HB 322 denies employers their Constitutional right to speak about a range of important issues. The legislation sends a negative message to Maryland's business community. At a time when Governor Moore is pushing a "growth agenda" for Maryland's business climate in a season when state and local budgetary challenges are becoming impossible to ignore, telling Maryland's business community that they must now litigate to protect their First Amendment rights sends a devastating message.

HB 322 poses a significant threat to Maryland's economic competitiveness and business climate. By depriving employers of their constitutional rights and introducing legal uncertainty, this bill creates a hostile environment for businesses, discouraging investment and hindering economic growth. Maryland's already sluggish economic performance will continue to decline if HB 322 is enacted, leading to business out-migration and diminished prospects for attracting new enterprises.

For these reasons, the Howard County Chamber of Commerce respectfully **requests an unfavorable report on HB 233.**

Sincerely,

Kristi Simon
President & CEO
Howard County Chamber of Commerce

HB 0233 – Mandatory Meetings on Religious or Polit

Uploaded by: Danna Blum

Position: UNF



Date: January 15, 2025

Economic Matters Committee
Delegate C. T. Wilson
Room 231
House Office Building
Annapolis, Maryland 21401
Annapolis, MD 21401

Re: HB 0233 – Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Maryland Worker Freedom Act) – Oppose as Written

Dear Delegate Wilson:

HB0233 would prohibit employers from requiring attendance at meetings regarding religious or political matters. This appears to include membership in labor organizations as “political”.

While the Carroll County Chamber would agree that meetings on the subject of religious or political matters should not be foisted upon employees in a mandatory fashion, an employer *should* have a right to express its opinion about the benefits or drawbacks to employees of unionizing or not unionizing the workplace. This should be allowed to ensure that all employees receive that message.

The Carroll County Chamber of Commerce, a business advocacy organization of nearly 700 members, opposes this bill as written. We therefore request that you give this bill an unfavorable report, unless amended as noted above.

Sincerely,

A handwritten signature in black ink that reads "Mike McMullin".

Mike McMullin
President
Carroll County Chamber of Commerce

CC: Delegate Chris Tomlinson
Senator Justin Ready

HB 233_MDCC_Protecting Workers From Captive Audien

Uploaded by: Grason Wiggins

Position: UNF



LEGISLATIVE POSITION:

Unfavorable

House Bill 233- Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Protecting Workers From Captive Audience Meetings Act)

House Economic Matters Committee

Thursday, January 30, 2025

Dear Chairman Wilson and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

HB 233 would, among other things, prohibit a Maryland employer from exercising its constitutional and statutory right to speak to its employees about “political issues,” which the bill defines to include “the decision to join or support any labor union.” As set forth in detail below, HB 233 presents significant constitutional, statutory, and economic concerns. We believe that this legislation provides unconstitutional restrictions on employers’ freedom of speech, its preemptive nature conflicting with federal labor laws, and its potential adverse effects on Maryland’s business climate and economy.

Constitutional Concerns

HB 233 directly violates the First and Fourteenth Amendments of the U.S. Constitution by impeding employers’ rights to express their viewpoints on political matters, including issues related to labor and unionization. By regulating the content of employer’s communications with their employees, this legislation unlawfully restricts freedom of speech and inhibits employers from sharing vital information on matters of public concern. Moreover, the bill’s broad and vague definitions of “political matters” introduce further constitutional concerns, as they fail to provide clear guidance to employers and may result in arbitrary enforcement. If enacted, this legislation would likely be subject to immediate legal challenges.

By its express terms, HB 233 would regulate speech on “matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy, and the decision to join or support any political party or political, civic, community, fraternal, or labor organization.” Because “the legislature is constitutionally disqualified from dictating the subjects about which persons may speak and the speakers who may address a public issue,” HB 233 violates Maryland employers’ rights. See *First Nat’l Bank of Boston v. Bellotti*, 435 U.S. 765, 784-85 (1978).

Conflict with Federal Labor Laws

HB 233 is preempted by federal labor law, particularly Section 8(c) of the National Labor Relations Act (NLRA). This provision explicitly safeguards employers' rights to express their views on labor-related issues including politics and unionization, without fear of reprisal or penalty. The NLRA also safeguards the right to require employees to attend meetings or otherwise view communications about those issues. This legislation would create a new Article 3-718 under Maryland's Labor and Employment Code which would eviscerate these rights. HB 233's attempt to regulate employer speech directly contradicts the protections afforded by the NLRA and undermines the balance of labor relations established at the federal level.

The NLRA comprehensively regulates labor matters throughout the United States. See *San Diego Building Trades Council v. Garmon*, 359 U.S. 236 (1959) (forbidding states to regulate activity that the NLRA protects, prohibits, or arguably protects or prohibits) ("Garmon preemption") & *Machinists v. Wisconsin Employment Relations Comm'n*, 427 U.S. 132, 140 (1976) (forbidding both the National Labor Relations Board (NLRB) and states from regulating conduct that Congress intended be left to be controlled by the free play of economic forces) ("Machinists preemption").

Anti-Competitive Impact

HB 233 denies employers their Constitutional right to speak about a range of important issues. The legislation sends a negative message to the business community. At a time when Governor Moore is trying to declare that Maryland is "Open for Business," in a season when state and local budgetary challenges are becoming impossible to ignore, telling Maryland's business community that they must now litigate to protect their First Amendment rights sends a devastating message.

HB 233 poses a significant threat to Maryland's economic competitiveness and business climate. By depriving employers of their constitutional rights and introducing legal uncertainty, the bill creates a hostile environment for businesses, discouraging investment and hindering economic growth. Maryland's already sluggish economic performance will further decline if HB 233 is enacted, leading to business out-migration and diminished prospects for attracting new enterprises.

For these reasons, the Chamber respectfully requests an **unfavorable report** on **HB 233**.



HB233_RestaurantAssoc_Thompson_UNF.pdf

Uploaded by: Melvin Thompson

Position: UNF



House Bill 233

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

January 30, 2025

POSITION: Oppose

Mr. Chairman and Members of the Economic Matters Committee:

The *Restaurant Association of Maryland* opposes House Bill 233.

We are concerned that the scope of this legislation goes far beyond discussion of typical religious or political matters. The bill's definition of "political matters" also broadly includes proposals to change legislation, regulations or public policy, and the decision to join or support a civic, community, fraternal, or labor organization. This legislation would prohibit employers from taking adverse action against employees for failing to attend mandatory staff meetings where opinions of the employer on these matters may be mentioned. Mandatory staff meetings may cover a broad range of issues. The reasons for this bill are unclear and the language is overly broad and vague.

Foodservice industry employers often have pre-shift or other staff meetings where a variety of issues may be discussed, including issues related to business operations or employment. During the COVID pandemic, for example, numerous public policy and regulatory issues were discussed during mandatory staff meetings and employer opinions on various issues were likely shared. Employers also sometimes discuss changes in policies that are necessary to comply with laws and regulations. The opinion of the employer regarding proposals to change legislation or regulations may sometimes be communicated during such mandatory meetings.

If there is a specific labor and employment-related issue that should be debated, then proposed legislation should be drafted to address that issue more narrowly. But the broad and vague nature of this legislation's restrictions seems unjustified.

For these reasons, we oppose this legislation and request an unfavorable report.

Sincerely,

A handwritten signature in black ink that reads "Melvin R. Thompson".

Melvin R. Thompson
Senior Vice President

HB233_NFIB_unf (2025).pdf

Uploaded by: Mike O'Halloran

Position: UNF



NFIB-Maryland – 60 West St., Suite 101 – Annapolis, MD 21401 – www.NFIB.com/Maryland

TO: House Economic Matters Committee

FROM: NFIB – Maryland

DATE: January 30, 2025

RE: **OPPOSE HOUSE BILL 233** – Labor and Employment – Mandatory Meetings on Religious and Politicla Matters – Employee Attendance and Participation

Founded in 1943, NFIB is the voice of small business, advocating on behalf of America’s small and independent business owners, both in Washington, D.C., and in all 50 state capitals. With more than 250,000 members nationwide, and nearly 4,000 here in Maryland, we work to protect and promote the ability of our members to grow and operate their business.

On behalf of Maryland’s small businesses, NFIB-Maryland opposes House Bill 233 – legislation prohibiting employers from communicating certain things to their employees.

This legislation, while claiming to protect free speech, would actually create constraints on the free speech rights of Maryland employers. The language in this bill prohibits employers from discussing legislation that could impact the operation of a small business, along with the job security of their workforce. This would include communicating how regulations will affect a small business and the workers’ jobs.

Additionally, a similar piece of legislation adopted in Connecticut now faces a federal lawsuit. The plaintiffs argue that the law violates the guarantee of free speech and equal protection rights under the Constitution. The plaintiffs in the case also state that Connecticut’s law conflicts with First Amendment and NLRA precedents regarding employer free speech rights. In 2008, a similar California law was challenged in *Chamber of Commerce of the U.S. v. Brown* and the Supreme Court struck down the law (7-2). The Court states it was preempted by federal law.

In June of 2023, a federal judge denied the state of Connecticut’s motion to dismiss the challenge to the Connecticut law. A similar law in Minnesota has been recently challenged as well. Maryland should not consider advancing this legislation until the courts decide whether this proposal is even legal. The handful of states that passed this legislation (Maine and New York) are considering whether to follow Minnesota’s and

Connecticut's lead and file legal challenges. Maryland should anticipate a similar legal challenge if House Bill 233 becomes law.

For these reasons **NFIB opposes HB233** and requests an unfavorable committee report.