

AFSCME Council 3 SB576 Testimony_FAV.pdf

Uploaded by: Christian Gobel

Position: FAV



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Patrick Moran – President

**SB576 – Labor and Employment – Mandatory Meetings on Religious or Political Matters –
Employee Attendance and Participation (Maryland Worker Freedom Act)
Finance Committee
February 19, 2025**

FAVORABLE

AFSCME Council 3 supports Senate Bill 576. Senate Bill 576 prohibits employers from taking adverse employment action or threatening to take adverse employment action against an employee if the employee declines to attend or participate in an employer-sponsored meeting, during which an employer communicates their opinion on religious or political matters, including the decision to join or support a labor union. Additionally, an employer may not fail or refuse to hire a job applicant, due to the job applicant's refusal to participate in such meetings.

Prior research has shown that as much as 89% of all employers conduct captive audience meetings in response to unionization efforts.¹ Employers spend over \$400 million per year on “union-avoidance” firms and consultants that utilize captive audience meetings as a method to coerce and intimidate workers into opposing unionizing their workplace.² In response, twelve states have enacted laws to address and curb this practice, while five additional states are considering similar legislation.³

Enacting this legislation is essential to promote employees' freedom to choose whether they wish to have or not have a union in their workplace. Captive audience meetings held by an employer instill a climate of fear, intimidation, and coercion and inhibit employees from making choices freely. Maryland should pass this legislation and join numerous other states that are standing up to protect workers' freedoms in their workplaces.

We urge the committee to issue a favorable report on SB576.

¹ Daniel Perez and Jennifer Sherer, *NLRB rules anti-union captive audience meetings an illegal abuse of employer power: States must also continue to broaden protection of workers' freedom from employer coercion on political, religious matters*, Economic Policy Institute (Nov. 18, 2024), <https://www.epi.org/blog/nlrp-rules-anti-union-captive-audience-meetings-an-illegal-abuse-of-employer-power-states-must-also-continue-to-broaden-protection-of-workers-freedom-from-employer-coercion-on-political-rel/#:~:text=Last%20week%2C%20the%20National%20Labor,%2C%20employer%20opinions%20on%20unionization>).

² *Id.*

³ *Id.*

SB576 Favorable 2025.pdf

Uploaded by: Debi Jasen

Position: FAV

Finance Committee
Senate Bill 576
Favorable

Honorable Chair, Vice Chair, and Members of the Finance Committee;

Please give Senate Bill 576, 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 Senate Bill 576. Thank you for your consideration.

Sincerely,
Debi Jasen
Pasadena, MD

SB 576 - Labor and Employment - Mandatory Meetings

Uploaded by: Donna Edwards

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

AFFILIATED WITH NATIONAL AFL-CIO

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Donna S. Edwards

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**SB 576 - Labor and Employment - Mandatory Meetings on Religious or Political Matters -
Employee Attendance and Participation
(Maryland Worker Freedom Act)
Senate Finance Committee
February 19, 2025**

SUPPORT

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

Madame Chair and members of the Committee, thank you for the opportunity to provide testimony in support of SB 576. 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. SB 576 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 First and Fourth Amendment rights as they are free to hold these meetings. Rather, it gives the worker the freedom to not attend meetings or leave the meetings where politics and religion are discussed, creating a fair workplace where employees are free to form and hold their own opinions without fear of intimidation or retaliation.

SB 576 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 SB 576.

UFCW 400 Favorable Written Testimony for SB0576 -

Uploaded by: Kayla Mock

Position: FAV



Testimony in Support of SB0576

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

February 17, 2025

To: Honorable Chair Pamela Beidle, Vice Chair Antonio Hayes, and members of the Senate
Finance Committee Committee

From: Kayla Mock, Political & Legislative Director

United Food and Commercial Workers Union, Local 400

Chair Beidle and members of the Senate Finance 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 SB0576 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 mandatory captive audience laws to ensure that workers on the job still have the freedom of choice on attending political and religious meetings on the job site, and six states 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, citing that forcing employees to attend these meetings under threat of discharge or discipline interfered with an employee's free and fair right to organize or join a union, due to the meetings tending to coerce or intimidate employees against organizing. However, the Board made clear that an employer may lawfully hold meetings with workers to express their views on unionization so long as workers are provided reasonable advance notice of the subject of any such meeting, that attendance is voluntary with no adverse consequences for failure to attend, and that no attendance records of the meeting will be kept.
5. However, as we have already witnessed, the new Administration has indicated rolling back many of the protections for workers that have been enacted. They are systematically undermining the National Labor Relations Board and the power it has to enforce the free and fair choices for workers organizing or joining a union.

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 SB0576.

2025 - SB 0576 - Maryland Worker's Freedom Act.pdf

Uploaded by: Ken Phelps Jr

Position: FAV



TESTIMONY IN SUPPORT OF SB 0576

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

FAVORABLE

TO: Sen. Pam Beidle, Chair; Sen. Antonio Hayes, Vice-Chair; and the Members of the Senate Finance Committee

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

DATE: February 19, 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.

SB576 - PJC - Fav.pdf

Uploaded by: Lucy Zhou

Position: FAV



Lucy Zhou
Public Justice Center
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SB576: Labor and Employment – Mandatory Meetings on Religious or Political Matters – Employee Attendance and Participation (Maryland Worker Freedom Act)

Hearing before the Senate Finance Committee, February 19, 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 SB576, 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.

SB576’s solution:

- **SB576 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, SB576 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 SB576** and urges a **FAVORABLE** report. If you have any questions, please call Lucy Zhou at 410-625-9409 ext. 245.

SB0576_FAV_mgoldstein 2025.pdf

Uploaded by: Mathew Goldstein

Position: FAV



Secular Maryland

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

February 19, 2025

SB 576 - FAV

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

Dear Chair Pamela Beidle, Vice-Chair Katherine Klausmeier, and Members of the
Finance 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

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Bowie, MD

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Testimony in support of SB0576 - Maryland_Worker_F

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0576_RichardKaplowitz_FAV
02/19/2025

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON SB#0576 - FAVORABLE

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

TO: Chair Beidle, Vice Chair Hayes, and members of the Finance 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 SB#0576, 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 SB#0576.

SB576 FAV MSEA.pdf

Uploaded by: Samantha Zwerling

Position: FAV

FAVORABLE

Senate Bill 576

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

**Finance Committee
February 19, 2025**

**Samantha Zwerling
Government Relations**

The Maryland State Education Association supports Senate Bill 576. Senate Bill 576 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. Senate Bill 576 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 Senate Bill 576.

² Id.

³ Id.

⁴ Id.

SEIU Local 500 Testimony IN FAVOR of SB 576 Maryla

Uploaded by: Terrence Cavanagh

Position: FAV



Testimony - SB 576, Labor and Employment - Mandatory Meetings on Religious or Political Matters - Employee Attendance & Participation (Maryland Worker Freedom Act)
Favorable
Senate Finance Committee
February 19, 2025
Terrence Cavanagh
On Behalf of SEIU Local 500

Honorable Chairwoman Beidle and Members of the Senate Finance Committee:

The members of SEIU Local 500, stand over 23,000 workers strong and express our wholehearted support for Senate Bill 576, 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, SB 576 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. SB 576 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. SB 576 promotes fairness and equity in the workplace, helping to prevent discrimination based on personal convictions.

The Maryland Worker Freedom Act (SB 576) 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 Senate Bill 576 and ask for a favorable report.

Thank you for your time and consideration.

Terrence Cavanagh
On Behalf of SEIU Local 500

SB 576 Mandatory Meetings Religious & Political Ma

Uploaded by: Tom Clark

Position: FAV



International Brotherhood of Electrical Workers

JOSEPH F. DABBS: Business Manager • THOMAS C. MYERS: President • RICHARD D. WILKINSON: Vice President
CHRISTOPHER M. CASH: Financial Secretary • RICHARD G. MURPHY: Recording Secretary • WILLIAM T. NG: Treasurer



TESTIMONY IN SUPPORT of SB 576 LABOR & EMPLOYMENT-MANDATORY MEETINGS - WORKER FREEDOM ACT February 19, 2024

TO: Chair Beidle, Vice Chair Hayes, Members of the Senate Finance Committee
FROM: Tom Clark, Political Director, Int. Brotherhood of Electrical Workers Local 26

Madam Chair, Mr. Vice Chair and members of the Committee, I ask you to join me in **full support of SB 576**. I appreciate the sponsors of this bill and ask the Finance committee to protect my first amendment rights and look favorable upon this bill.

Often employers are holding the “purse strings” and this monetary power is used to influence their employees. It’s interesting that an employer cannot use their power and office to gain a personal, often sexual relationship with employee, but a soliciting their political or religious beliefs is acceptable. I would think any use of this employer power is unacceptable and not suitable in our great state. I, for one think the first amendment and its separation of church and state is one of the greatest gifts that are founding fathers gave us. As a man of faith, I find this works for both the place of work and the place of prayer. Back in 2016, an activist priest shared his thoughts on the two Presidential candidates, during his homily. Without making a scene, I chose to walk out of the church for 10 minutes until the homily was over. After Mass, I respectfully spoke to the Priest and shared my feelings. I do not want to hear politics from the altar, and I do not want to hear religion from the office podium. It’s not just my beliefs, it’s the law.

Unfortunately, in today’s world, politics of any kind turns into a firestorm. It is what the current President of the United States started back in 2016 and continues to use to divide this country today. I hope, you as the General Assembly, can take religion and politics out of the workplace and leave our religion for the church and our politics at the polling place.

I hope you can join with me and prevent these “captive audience” meetings and protect the Maryland worker from intimidation in the conference room. I ask for your **support of SB 576 and support of the First amendment**. Thank you.



SB 576 - UNF - MHLA.pdf

Uploaded by: Amy Rohrer

Position: UNF

MHLA

Maryland Hotel Lodging Association

Testimony in Opposition to SB 576

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

Senate Finance Committee – February 19, 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.

Senate Bill 576, 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".

SB 576 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 SB 576.

Respectfully submitted,

Amy Rohrer, President & CEO

AUC of Maryland_SB 576_UNFAV.pdf

Uploaded by: Andrew Griffin

Position: UNF



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Ian Stambaugh

February 19, 2025

Legislative Position: Unfavorable
Senate Bill 576

Labor and Employment - Mandatory Meetings on Religious
or Political Matters - Employee Attendance and Participation
Senate Finance Committee

Dear Chairwoman Beidle 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, SB 576 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, SB 576 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

SB 576 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.



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By its express terms, SB 576 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,” SB 576 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

SB 576 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. SB 576’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

SB 576 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

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Ian Stambaugh

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

SB 576 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 SB 576 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 SB 576.**

Sincerely,

The Associated Utility Contractors of Maryland (AUC)

HCCC_SB 576_UNFAV.pdf

Uploaded by: Andrew Griffin

Position: UNF



February 19, 2025

Legislative Position: Unfavorable
Senate Bill 576
Labor and Employment - Mandatory Meetings on Religious
or Political Matters - Employee Attendance and Participation
Senate Finance Committee

Dear Chairwoman Beidle 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, SB 576 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, SB 576 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

SB 576 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, SB 576 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,” SB 576 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

SB 576 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. SB 576'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

SB 576 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.

SB 576 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 SB 576 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 SB 576.**

Sincerely,

Kristi Simon
President & CEO
Howard County Chamber of Commerce

SB 576 Captive audience written.pdf

Uploaded by: cailey locklair

Position: UNF

MARYLAND RETAILERS ALLIANCE

The Voice of Retailing in Maryland



SB 576 (HB 233) Labor and Employment - Mandatory Meetings on Religious or Political Matters -Employee Attendance and Participation (Maryland Worker Freedom Act)

House Economic Matters Committee

February 19, 2025

Position: Unfavorable

Summary: Prohibiting 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.

Written Comments: We write to express strong opposition to the proposed laws that would restrict employers' ability to communicate with their employees on political and religious matters. These laws pose significant constitutional concerns and would have far-reaching consequences for employers' rights to free speech, the preemption of federal law, and the vagueness of their provisions.

Free Speech Concerns

At the heart of this issue is the First Amendment, which guarantees the rights of free speech and assembly. The proposed laws effectively chill employers' speech by regulating the content of their communications with employees. These laws discriminate against employers' viewpoints on political matters by limiting their ability to express their opinions freely. Employers should be allowed to engage in open and robust discussions with their employees, including on issues that may relate to politics or religion, without fear of reprisal or legal consequences. Restricting this fundamental right undermines the very principles of free speech that are foundational to our democracy.

Preemption by the National Labor Relations Act (NLRA)

These laws are preempted by the National Labor Relations Act (NLRA), which has long governed labor relations and safeguarded the rights of employers and employees. The NLRA comprehensively regulates labor relations and protects employers' rights to express their views on unionization to their employees. For decades, the NLRA has ensured that employers can communicate with employees about issues related to unionization and other matters that might affect the workplace. States do not have the authority to regulate in this area, as it would

conflict with the established framework of federal law. The proposed state laws would undermine the NLRA and create confusion for employers who must navigate conflicting state and federal regulations.

Vagueness and Uncertainty

One of the most troubling aspects of these laws is their vagueness, particularly regarding the definition of “political matters.” The laws prohibit employers from disciplining or threatening to discipline employees who refuse to attend employer-sponsored meetings or hear opinions about political or religious topics. However, the laws fail to provide a clear definition of what constitutes “political matters.” This ambiguity creates uncertainty for employers, who would have no way of knowing whether their communications might violate the law. Without clear guidance, employers are left exposed to liability for actions that they may not even realize are prohibited, making it impossible for them to reasonably comply with these laws.

Precedent Set by the U.S. Supreme Court

In 2008, the U.S. Supreme Court in *Chamber of Commerce v. Brown* reinforced the notion that the NLRA protects the First Amendment rights of employers. The Court recognized that the NLRA essentially “implements” the First Amendment by encouraging “free debate on issues dividing labor and management.” The Court emphasized that Congress and the National Labor Relations Board (NLRB) have expressly fostered the use of written and spoken word in labor disputes. The idea is to allow “uninhibited, robust, and wide-open debate,” which is critical to ensuring that both employers and employees can fully express their views. The proposed laws go against this precedent by curbing employers’ ability to engage in such debate freely, which would undermine the protections afforded by the NLRA.

Conclusion

The proposed laws represent a significant overreach by the state and an infringement on the constitutional rights of employers. They are inconsistent with the protections granted under the First Amendment and the National Labor Relations Act. These laws also lack the clarity necessary to be reasonably enforceable, leading to confusion and potential legal risk for employers. We respectfully urge the committee to reconsider these measures and protect the fundamental rights of employers to communicate openly with their employees.

Thank you for your time and consideration of this important issue.

SB 0576– Mandatory Meetings on Religious or Politi

Uploaded by: Danna Blum

Position: UNF



Date: January 24, 2025

Finance Committee
Senator Pamela Beidle
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 0576– Mandatory Meetings on Religious or Political Matters - Employee Attendance and Participation (Maryland Worker Freedom Act) – **Oppose as Written**

Dear Senator Beidle:

SB0576 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

MDCC_SB 576_Unfavorable .pdf

Uploaded by: Grason Wiggins

Position: UNF



Senate Bill 576

Date: February 19, 2025
Committee: Senate Finance
Position: Unfavorable

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.

Senate Bill 576 (SB 576) 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, SB 576 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

SB 576 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, SB 576 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,” SB 576 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

SB 576 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. SB 576'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

SB 576 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.

SB 576 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 SB 576 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 SB 576.



SB576_RestaurantAssoc_Thompson_UNF.pdf

Uploaded by: Melvin Thompson

Position: UNF



Senate Bill 576

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

February 19, 2025

POSITION: Oppose

Madame Chair and Members of the Senate Finance Committee:

The *Restaurant Association of Maryland* opposes Senate Bill 576.

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". The signature is written in a cursive style and is followed by a long horizontal flourish.

Melvin R. Thompson
Senior Vice President

SB576_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: Senate Finance Committee

FROM: NFIB – Maryland

DATE: February 19, 2025

RE: **OPPOSE SENATE BILL 576** – Labor and Employment – Mandatory Meetings on Religious and Political 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 Senate Bill 576 – 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 Senate Bill 576 becomes law.

For these reasons **NFIB opposes SB576** and requests an unfavorable committee report.