



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

TO: Senate Finance Committee

FROM: NFIB – Maryland

DATE: March 11, 2026

RE: **OPPOSE SENATE BILL 831** – Labor Law – Child Labor Penalties, Private Sector Employee Relations, and State Employee Labor Standards

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 opposes Senate Bill 831 – legislation that would expand the jurisdiction of Maryland’s Public Employee Relations Board (PERB) to include private-sector labor disputes. This provision raises significant concerns regarding regulatory clarity and the balance between federal and state oversight of labor disputes.

For decades, labor relations in the United States have operated under a clear and well-established structure. Private-sector labor disputes are governed primarily by federal law and administered by the National Labor Relations Board. In contrast, PERB was created to oversee labor relations involving public employees in Maryland. Expanding PERB’s jurisdiction to include private-sector disputes blurs this long-standing distinction and risks creating overlapping regulatory authority.

Senate Bill 831 also runs afoul of the *Garmon* preemption. The 1959 US Supreme Court decision *San Diego Building Trades v. Garmon* determined that states and federal courts are required to defer to the NLRB when subjected to sections of the National Labor Relations Act (NLRA). This legislation runs counter to this decision and inserts itself into federal jurisdiction

Introducing a state-level forum for certain private-sector labor matters could lead to uncertainty for both employers and employees. Businesses may face confusion over which agency has jurisdiction in a given dispute, particularly where federal labor law already applies.

This overlap could produce inconsistent interpretations of labor standards, increase litigation risk, and complicate compliance efforts for employers operating in Maryland.

For these reasons, we respectfully request an **unfavorable committee report on SB831**.