

SB0831_Labor_Law_-_Child_Labor_Penalties^J_Private

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Position: FAV



TESTIMONY

SB0831 Labor Law – Child Labor Penalties, Private Sector Employee Labor Relations, and State Employee Labor Standards

Bill Sponsor: Senator Ferguson

Committee: Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, Co-Chair

Position: FAVORABLE

I am submitting this testimony in support of **SB0831** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

Across the country, child labor violations are rising—minors working excessive hours, performing dangerous tasks, or being exploited as cheap labor. SB0831 strengthens Maryland’s protections by establishing civil penalties for employers who violate child labor laws and updating work-permit requirements to ensure young workers are not placed in hazardous situations. Children should not be sacrificed to fill labor shortages; Maryland must draw a clear line that young people deserve safety and the freedom to grow without exploitation.

Beyond protecting minors, SB0831 reinforces the rights of all workers. It strengthens private-sector labor rights by ensuring that workers can bring disputes to the Public Employee Relations Board and organize without interference. It also upholds essential standards for state employees by prohibiting Maryland from seeking federal waivers that would weaken the overtime and wage protections guaranteed under the Fair Labor Standards Act.

This legislation reflects the Coalition’s commitment to equity, justice, and protecting Marylanders from preventable harm. By addressing exploitation at every level — from the protection of children to the collective bargaining rights of the broader workforce — SB0831 ensures Maryland remains a leader in labor dignity.

For these reasons, we respectfully urge a **FAVORABLE** report on SB0831.

SEIU Local 500 Testimony in Support of SB 831 2026

Uploaded by: Christopher Cano

Position: FAV



Testimony - SB 831, Labor Law - Child Labor Penalties, Private Sector Employee Labor Relations, and State Employee Labor Standards

Favorable

Senate Education, Energy, and the Environment Committee

March 11, 2026

Christopher C. Cano, MPA

Director of Political & Legislative Affairs on behalf of SEIU Local 500

Honorable Chairman Feldman & Members of the Senate Education, Energy, and the Environment Committee:

SB 831 is a comprehensive and timely measure that strengthens Maryland's commitment to protecting workers, defending the right to organize, and ensuring that labor standards keep pace with evolving threats to working people's rights. At a moment when federal labor protections are increasingly uncertain, this bill ensures that Maryland does not retreat from its responsibility to uphold fairness, safety, and dignity in the workplace.

First, SEIU Local 500 strongly supports the bill's enhanced enforcement mechanisms and civil penalties for violations of child labor laws. Exploitative and unsafe working conditions for minors are unacceptable. Meaningful penalties—especially for willful or repeated violations—are essential to deterrence and accountability. Maryland must send a clear message that child labor laws will be enforced and that young workers' health, education, and safety are non-negotiable.

Second, SB 831 protects workers from employer-dominated organizations that undermine genuine collective bargaining. So-called "alternative" or employer-controlled entities dilute workers' voices and weaken democratic representation on the job. This bill ensures that workers retain the right to organize freely and to bargain through legitimate, independent labor organizations—not structures designed to bypass federal labor law protections.

Third, SEIU Local 500 strongly supports the provisions establishing a state-level backstop for private-sector workers when the National Labor Relations Board is unable or unwilling to act. Workers should not lose fundamental rights to organize, bargain collectively, or seek remedies for unfair labor practices due to federal dysfunction, delay, or political interference. Granting the Public Employee Relations Board authority to step in under clearly defined circumstances is a prudent and necessary safeguard for workers' rights.

Finally, the bill's prohibition on state agencies seeking waivers from the federal Fair Labor Standards Act ensures that Maryland will not race to the bottom on wages, overtime, or worker protections. Public employers should lead by example, not seek exemptions from laws designed to protect working people.

SB 831 reflects Maryland values: strong labor standards, real enforcement, and respect for workers' voices. SEIU Local 500 urges the Committee to advance this legislation and stand with workers across our state by issuing a favorable report.

Thank you for your time and consideration.

SB 831 AFSCME Council 3 Testimony_FWA.pdf

Uploaded by: Christian Gobel

Position: FWA



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Patrick Moran – President

**SB 831 – Labor Law – Child Labor Penalties, Private Sector Employee Labor Relations, and State Employee Labor Standards
Finance Committee
March 11, 2026**

FAVORABLE WITH AMENDMENTS

Maryland is successfully modernizing its labor relations landscape to more efficiently address disputes when they arise and to avoid disputes by developing clear and steady precedents for the benefit of public employers, their employees, and their unions. The General Assembly significantly advanced those efforts when it passed the Public Employee Relations Act (“PERA”) in 2023. That Act created the Public Employee Relations Board (“PERB”). The PERB consolidated three previous labor boards. In the three years since it was created, the PERB has benefited from the appointment of strong, experienced board members, the hiring of capable and dedicated staff, and, most of all, the appointment of a chairperson with decades of experience with labor relations at the federal level. The PERB has quickly come into its own as it addresses matters of all kinds, involving all manner of work and workers, across the public sector in Maryland.

As the federal government threatens to retreat from policing labor relations and to abdicate any meaningful role in private sector labor relations, now is the time to position the PERB to address those needs should it become necessary. The issue of when it is necessary is a critical one – and a legal one. The NLRA generally preempts state laws that try to police labor relations in the private sector. For Maryland to successfully fill the gap and take jurisdiction if the federal government abdicates its jurisdiction takes study and nuance. It is hard to be rigid and formulaic in that regard. SB 831 speaks of the NRLB expressly or implied ceding jurisdiction (10:15-16). It tries to anticipate circumstances like the lack of a quorum or a lack of independence for the NLRB. (10:27-30). But, of course, it is impossible to anticipate how this Presidential Administration may act. HB 1539 has the better solution in this regard. It calls for Maryland’s Department of Labor to monitor the federal landscape and make a determination as to jurisdiction when circumstances so direct. (20:10-18). SB 831 should be amended to adopt HB 1539’s approach.

SB 831 is needed as one hundred years of federal labor laws are neglected and undermined. The only silver lining is that this comes at a time when the General Assembly has committed itself to facilitating just workplace and fair practices, and has, with the Moore Administration, created in the PERB an agency to do just that. The PERB ought to be positioned to fill the gap – both as a matter of law and a matter of funding.

We urge the committee to issue a favorable report with amendments on SB 831.

SB 831 - Child Labor Penalties, Private Sector Em

Uploaded by: Jane Krienke

Position: FWA



Maryland
Hospital Association

Senate Bill 831 - Labor Law - Child Labor Penalties, Private Sector Employee Labor Relations, and State Employee Labor Standards

Position: *Support with Amendments*

March 11, 2026

Senate Finance Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 831 with a clarifying amendment.

We support the goal of this legislation—to codify federal worker protections in state law. We are concerned about one provision that if not amended, could have unintended consequences for Maryland hospitals.

SB 831 prohibits employers from forming certain joint employer-employee workplace entities that address working conditions if those entities are not subject to federal labor law. We believe that the shared governance structures many Maryland hospitals have in place meet the definition of an organization or entity as defined in this bill.

The American Nurses Credentialing Center recognizes hospitals for nursing excellence through Magnet Status and the Pathway to Excellence program.¹ These designations involve a rigorous approval process with numerous requirements. One requirement is to create governance structures for shared decision-making practices that allow staff to offer feedback on policies and working conditions.

In Maryland, nearly 30% of acute care hospitals hold a Magnet designation, and four hospitals have the Pathways to Excellence recognition. Ten hospitals plan to pursue one of these distinctions in the next two years. Achieving these recognitions has been shown to improve staff satisfaction, reduce burnout and turnover, strengthen productivity and teamwork, and increase patient satisfaction. We are concerned that prohibiting types of committees could limit the ability of Maryland hospitals to participate in these important national programs.

The hospital field proposes the following clarifying amendment to permit the formation of committees and governance structures that align with the requirements necessary to obtain designations or satisfy accreditation requirements.

¹ [ANA's Principles for Nurse Staffing, Third Edition](#)

MHA Proposed Amendment

Amend pg 6, line 26 - 28:

(C) THIS SECTION MAY NOT BE CONSTRUED TO PRECLUDE:

(1) THE FORMATION OF A LABOR ORGANIZATION THAT IS SUBJECT TO THE FEDERAL ACT AND THE JURISDICTION OF THE NATIONAL LABOR RELATIONS BOARD; ~~OR~~

(2) CERTIFICATION AS AN EXCLUSIVE REPRESENTATIVE UNDER THE FEDERAL ACT; **OR**

(3) THE FORMATION OF A COMMITTEE OR GOVERNANCE STRUCTURE REQUIRED FOR ACCREDITATION OR DESIGNATION BY A STATE OR NATIONAL BODY.

For these reasons, we request a favorable with amendments report on SB 831.

For more information, please contact:

Jane Krienke, Assistant Vice President, Government Affairs & Policy

Jkrienke@mhaonline.org

SB831_Amendment_103024

Uploaded by: Senator Ferguson

Position: FWA



SB0831/103024/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

11 MAR 26
09:11:00

BY: Senator Ferguson
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 831
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “Act;” insert “requiring the Maryland Department of Labor to monitor certain action by the federal government for a certain purpose;”; and after line 24, insert:

“BY repealing and reenacting, with amendments,
Article - State Personnel and Pensions
Section 2-201
Annotated Code of Maryland
(2024 Replacement Volume and 2025 Supplement)”.

On page 2, strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 6, in line 25, strike “OR”; in line 27, after “ACT” insert “; OR”

**(3) THE FORMATION OF A COMMITTEE OR GOVERNANCE
STRUCTURE REQUIRED FOR ACCREDITATION OR DESIGNATION BY A STATE OR
NATIONAL ORGANIZATION**”;

and after line 27, insert:

“Article – State Personnel and Pensions

2-201.

(A) Except as otherwise provided by law, an employee in the Judicial, Legislative, or Executive Branch of State government is governed by the laws and personnel policies and procedures applicable in that branch.

(B) A UNIT IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT MAY NOT PETITION OR APPLY TO THE FEDERAL GOVERNMENT FOR A WAIVER OF ANY PROVISION OF THE FEDERAL FAIR LABOR STANDARDS ACT THAT IS APPLICABLE TO THE UNIT, EVEN IF THE WAIVER IS OTHERWISE AUTHORIZED UNDER FEDERAL LAW.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 10, in line 10, after “IS” insert “ENTIRELY”; strike beginning with “NARROWED” in line 10 down through “EMPLOYEE” in line 11 and substitute “RENDERED ENTIRELY NULL AND VOID”; in line 15, strike “SUBJECT TO SUBSECTION (C) OF THIS SECTION,”; and in line 16, strike “OR IMPLIEDLY”.

On pages 10 and 11, strike in their entirety the lines beginning with line 17 on page 10 through line 30 on page 11, inclusive.

On page 11, in line 31, strike “(E)” and substitute “(C)”.

On page 12, in line 4, strike “(G)(1)(II)1” and substitute “(E)(1)(II)1”; and in line 12, strike “(F)” and substitute “(D)”.

On page 13, in line 1, strike “(G)” and substitute “(E)”.

On page 14, in line 12, strike “(H)” and substitute “(F)”;

and strike line 30 in its entirety.

On page 15, strike in their entirety lines 1 through 8, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Section 2 of this Act is contingent on:

(1) the federal National Labor Relations Act being entirely repealed or rendered entirely null and void; or

(2) the National Labor Relations Board expressly ceding jurisdiction to the State regarding any employer, employees, trade, industry, or labor dispute covered under the federal National Labor Relations Act.

(b) (1) The Maryland Department of Labor shall monitor action by the federal government to determine whether the contingency described under subsection (a) of this section is met.

(2) If the Maryland Department of Labor determines the contingency described under subsection (a) of this section is met, the Secretary of Labor shall notify the Department of Legislative Services within 30 days after the determination is made.

(c) If the Department of Legislative Services receives notice from the Maryland Department of Labor as described under subsection (b)(2) of this section, Section 2 of this Act shall take effect on the date the notice is received by the Department of Legislative Services.”;

in line 9, strike “2.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.

SB831_FergusonTestimony

Uploaded by: Senator Ferguson

Position: FWA

**SB 831 – Labor Law – Child Labor Penalties, Private Sector Employee Labor Relations,
and State Employee Labor Standards**

Testimony of Senate President Bill Ferguson

On March 11, 2026

Before the Senate Finance Committee

Why This Bill Matters:

Protecting Maryland workers is essential to maintain a healthy middle class, in which people can provide for their families and participate in the workforce freely. Unfortunately, there have been various attacks on worker protections and labor unions. Project 2025 – a blueprint for restructuring the federal executive branch in a way that harms Marylanders’ rights, support, and access to resources – outlines several actions to undermine worker rights and protections. Specifically, Project 2025 recommends several actions regarding labor, including the following:

- ending the U.S. Department of Labor’s hazard-order regulations to allow teenage workers to work in regulated jobs if a parent consents and with additional trainings; and
- reintroducing and passing the federal Teamwork for Employees and Managers (TEAM) Act of 2022, legislation that would detrimentally alter the National Labor Relations Act (NLRA) by creating an “Employee Involvement Organization” (EIO), which is not subject to the enforcement and protections of the National Labor Relations Board (NLRB), which enforces the NLRA.

In addition to the Project 2025 recommendations specified above, states such as Florida, Indiana, Kentucky, and West Virginia have passed legislation in the last two years to weaken child labor laws. Proactively standing up for the rights of our workers, especially young people, is critical as we navigate uncertain economic times and opportunities for exploitation increase. Equally as important is ensuring the rights of private-sector laborers in the event the Trump Administration repeals or abandons NLRA.

What This Bill Does:

Senate Bill 831, with the proposed amendments, makes four primary changes, Specifically, the legislation:

- 1) Increases the State penalties for violating child labor standards to match the current penalties for violating federal child labor laws under the Fair Labor

- Standards Act (FLSA) (generally \$11,000 for each violation and \$50,000 if the violation results in death or serious injury, updated annually for inflation);
- 2) Establishes that the Maryland Public Employee Relations Board (PERB) will stand in for NLRB if Congress repeals NLRA, or the federal government cedes jurisdiction to the states;
 - 3) Prohibits employers from forming EIOs that are not subject to NLRA or under the jurisdiction of NLRB; and
 - 4) Prohibits a unit in the Executive Branch from petitioning or applying to the federal government for a waiver of any federal FLSA provision that is applicable to the unit, even if the waiver is otherwise authorized under federal law.

The proposed amendments address a technical concern of hospitals who may need to form certain committees to maintain accreditation. They also eliminate the overlapping authority of PERB and NLRB under the bill by making the relevant provisions contingent on the repeal of NLRA or the express cession of jurisdiction to the states – instead of being triggered if NLRB fails to take certain actions.

Why You Should Vote for This Bill:

Senate Bill 881 strengthens our labor laws for children and Maryland's workers. Marylanders are counting on the State to step in and provide the protections that may no longer be afforded at the federal level. The legislation does just this by making common sense changes to fill the gaps in our labor protection laws. This will stabilize our economy in the event of drastic changes in labor law at the federal level and ensure Marylanders can continue to participate in the workforce with equitable working conditions.

SB831_NFIB_unfav (2026).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: 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**.