

Maryland Legal Aid Testimony
HB1543 – Labor and Employment - Temporary Workers
Hearing on March 5, 2026, Government, Labor, and Elections Committee
Position: Favorable

Maryland Legal Aid submits written and oral testimony on HB1543 in response to a request from Delegate Bhandari.

Maryland Legal Aid is a statewide, private, non-profit law firm that provides free legal services to low-income Maryland residents. We have provided robust legal services to low-income agricultural workers throughout Maryland and Delaware for over 42 years. Our Farmworker Program is a vital resource for migrant and seasonal workers in the agricultural fields, packing houses, and plant nurseries. The program handles matters related to wages, substandard housing, pesticide exposure, inadequate access to essential facilities like bathrooms and drinking water, and more. In the last two years our staff visited 467 farmworker housing camps and spoke directly with 976 H2-A farmworkers. Maryland Legal Aid’s two primary concerns are making sure temporary workers have access to resource providers and guests, and making sure they know their rights.

HB1543 enshrines the right of temporary workers to have visitors where they live. Many temporary workers face language barriers, local xenophobia, unfamiliarity with the surrounding community and culture, and unavailability of alternative housing; they should not suffer further under employer-imposed isolation that deprives them of critical information and resources. As recently as last growing season, Maryland Legal Aid staff have been turned away by growers (farmers) farmers when visiting temporary worker housing to inform workers of their legal rights and protections. In past years, Maryland Legal Aid staff were even threatened with arrest, and law enforcement refused to acknowledge temporary workers’ right to receive guests where they live. Having the right to have visitors where they live plainly listed in Maryland law would provide a more solid foundation for temporary workers, their guests, and service providers to assert their rights of access/education. .

Current interpretative guidance from the Office of the Maryland Attorney General clearly provides that temporary agricultural workers “have a legal right to receive guests and to be visited by clergy, medical and other service personnels, lawyers, and the press.”¹ The cited opinion was issued in 1982 and remains valid law to this day. Illegal employer-enforced limitations on access to temporary workers described therein continue to persist. Property owners make fresh efforts to isolate their employees, and we have noted an increase in the number of employer-posted “no trespassing” signs when performing outreach to temporary farmworkers.

We appreciate that HB1543 allows for unannounced inspections of temporary worker worksites, housing, payroll, and transportation. In the future, we urge the Committee to build on this

¹ 67 Md. Op. Atty. Gen 4, 1.

protection by establishing standards for inspections and consequences for failed inspections. During the last five years of Maryland Legal Aid's in-person outreach, we have observed living conditions in employer-provided housing that would offend the sensibilities of every member of this Committee. For example, we have seen extremely overcrowded housing with no privacy, total lack of climate control, as well as improper eating, sleeping, and bathroom facilities. In our experience, temporary workers who reside in employer-provided housing do so only because they have no other reasonable options.

We appreciate that language access is mentioned in the bill and that certain documents will be required to be published in Spanish. According to research results from the RESPIRAR Project,² a current community-based project with migrant and seasonal farmworkers on Maryland's Eastern Shore, 84.3% of farmworker participants reported Spanish as primary language and 15.7% of participants reported Haitian Creole as primary language. Maryland Legal Aid hopes that this Committee will move away from the English/Spanish dichotomy and toward a model consistent with protections provided by Title VI of the Civil Rights Act of 1964 which prohibits national origin discrimination (including language). Courts have found that this protection requires meaningful access to federally funded government programs and services for all non-English speakers.

Maryland Legal Aid hopes that HB1543 will lay a foundation for stronger laws to protect our vulnerable temporary worker clients from exploitation in upcoming years. In addition to the housing condition and language access concerns noted above, HB1543 could be stronger for project funding and data collection. The bill creates the Temporary Worker Oversight Unit, but does not fund dedicated positions within the Maryland Department of Labor to carry out this work. The bill mandates some data collection, but does not require the data be made publicly available or findings acted upon. We hope that the Maryland Department of Labor will ultimately be able to fund these positions.

Maryland Legal Aid urges a favorable report on HB1543, to ensure that temporary workers can access vital services where they live. If you have questions please contact Cornelia Bright Gordon, Director of Advocacy for Administrative Law, Maryland Legal Aid, at cbgordon@mdl.org.

² <https://www.respirarproject.org/>