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BILL NO: Senate Bill 241  
TITLE: Maryland Healthy Working Families Act – Applicability  
COMMITTEE: Finance  
HEARING DATE: February 13, 2020  
POSITION: **OPPOSE**

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In 2017 the Legislature passed The Maryland Healthy Working Families Act (“MHWFA”). The MHWFA finally grants workers the right to earn safe and sick leave so that they no longer must choose between their jobs and their health and safety. After overcoming several hurdles, including the Governor’s veto, the bill went into law and into effect in February 2018. Now, with barely a year having passed, a slate of bills are being proposed to undermine, delay, and erode the benefits of that hard-won piece of legislation.

The Women’s Law Center whole-heartedly supported MHWFA because it provides a reasonable and comprehensive approach to ensuring an important benefit that protects the health and safety of families, workers, and the community. The effective date for the MHWFA was Sunday, February 11, 2018; on that date approximately 700,000 Marylanders began to earn sick and safe leave for the first time. Now is not the time to roll back those benefits and for those reasons, and the reasons below, the WLC opposes all of the bills seeking to chip away at those provisions, including attempts to exclude application of the law to County Board of Education employees.

Of particular importance to the Women’s Law Center are the provisions of MHWFA regarding “Safe Leave”. These provisions allow an employee to use earned leave days to deal with medical, psychological or legal issues arising from domestic violence. As one in four women is the victim of domestic violence or sexual assault, it is imperative that survivors be able to get treatment for an injury or initiate legal proceedings without fearing they will lose their jobs if they take time off. This applies to all workers – regardless of their status.

The ability to have legal representation and/or to go to court to obtain a protective order can have a profound effect on a victim’s ability to leave an abuser and optimize their safety. But in order to do those things, the victim must first be able to take the time to make those appointments. However, financial insecurity is one of the most common reasons women stay with their abusers, and it should be no surprise to learn that taking unpaid leave to appear at court, or to make appointments with counselors or lawyers, is a financial burden too many of our clients are unable to bare.

A survey of American employees found that 44% of full-time employed adults personally experienced domestic violence’s effect in their workplaces<sup>1</sup>, while up to half of employed victims of DV report that they lost their jobs in part due to DV<sup>2</sup>. In addition, as many as 96%

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<sup>1</sup> Corporate Alliance to End Partner Violence, [http://www.caepv.org/getinfo/facts\\_stats.php?factsec=3](http://www.caepv.org/getinfo/facts_stats.php?factsec=3)

<sup>2</sup> Questions and Answers about DOMESTIC VIOLENCE AND THE WORKPLACE, Sloane Work and Family Research Network, 2008, <https://workfamily.sas.upenn.edu/sites/workfamily.sas.upenn.edu/files/imported/pdfs/DV.pdf>

experience problems at work due to abuse, 56% are late to work, 28% leave work early, 54% miss entire days of work<sup>3</sup>, and 47% were specifically prevented from working by the abuser<sup>4</sup>. At the same time, 65% of companies in this country do not have a formal workplace domestic violence prevention policy<sup>5</sup>, and the vast majority do not already provide leave specifically designated for victims of domestic violence. Domestic Violence has a clear and definite impact on the economy and on the Maryland workforce.

The HWFA will allow victims to address these important issues that preserve their safety without risking job security. It ensures women do not have to weigh physical health against economic stability because paid sick and safe leave will be available to them. Its implementation should remain in effect.

**Therefore, the Women's Law Center of Maryland, Inc. urges an unfavorable report on Senate Bill 241.**

*The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County, and the statewide Collateral Legal Assistance for Survivors and Multi-Ethnic Domestic Violence Projects.*

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<sup>3</sup> *Id.*

<sup>4</sup> Judith McFarlane et al, Indicators of Intimate Partner Violence in Women's Employment, 48 Am. Assoc. Occupational Health Nurses J. 217 (May 2000); Employment Law and Domestic Violence, A Practitioner's Guide, American Bar Association, Commission on Domestic Violence, Julie Goldscheid and Robin Runge, (2009)

<sup>5</sup> The Society for Human Resource Management, *When Domestic Violence Comes to Work*, 2013