

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 1326:

Labor and Employment – Maryland Healthy Working Families Act – Revisions and Public Health Emergency Leave

TO: Hon. Chair Dereck Davis, and Members of the House Economic Matters Committee
FROM: Korey Johnson, Esq., Senior Policy Research Analyst – Job Opportunities Task Force
DATE: March 2, 2021

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-skill, low-wage workers and job seekers in Maryland. We support House Bill 1326 as a means of ensuring that hardworking Marylanders can continue to access our paid sick and safe leave law without having to risk their job, paycheck, or financial security.

On February 1, 2018, over 700,000 Marylanders began to accrue earned sick and safe leave under the Maryland Healthy Working Families Act (HB 1 of 2017) after a long six (6) year fight. This long fight involved much negotiation and compromise to make sure that both businesses and workers are considered equitably when it comes to earned sick and safe leave. The work accomplished during 2017 Maryland General Assembly facilitated large amounts of progress within every employment industry in the State of Maryland. However, despite much bipartisan coordination, our efforts could have never predicted the largest health crisis of the twenty-first century.

The COVID-19 pandemic has had a crushing effect on the lives of many Marylanders. The Maryland Department of Health confirmed that there have been over 125,000 confirmed cases and over 3,500 deaths related to the COVID19 crisis. Yet, while the Maryland Department of Health indicated that “a vast majority of people recover from this infection,” it seems that poor Black communities bear the brunt of the devastating outcomes of the virus’s fatal impact. In fact, per statistical data, the virus has been particularly unforgiving to marginalized communities in Maryland, as they have been disproportionately impacted by the health implications of the virus.

As Lisa Cook, a Michigan State Professor, indicated, as a result of the pandemic “every corner of inequality has been exposed.” This statement holds particularly true in the State of Maryland. Although Black residents make up 30 percent of Maryland’s population, they make up 41 percent of COVID-related deaths. Of the confirmed 139,000 cases in the State, racialized minorities make up roughly 60 percent (81,000 confirmed cases) with African-Americans experiencing the largest impact at approximately 43,000 confirmed cases. Moreover, among the 3,900 COVID19 related deaths in Maryland, racialized minorities make up approximately 2,200 of those fatalities. Needless to say, communities of color have been rendered particularly vulnerable because of the pandemic.

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Adding insult to injury, these racialized communities compromise the poorest zip codes in the State of Maryland. Needless to say, the virus has simultaneously exacerbated already stressful material conditions of Maryland's working class. Be it financial barriers to prevention, limited access to healthcare, or inability to quarantine, the pandemic is disproportionately impacting indigent communities due to overwhelming gaps in wealth.

Consequently, the COVID-19 pandemic has illuminated the shortcomings of the sick and safe leave provisions of the Maryland Healthy Working Families Act 2017 that still leave many working families vulnerable to financial uncertainty. No one should have to choose between their health and their job, yet an absence or delay of earned sick leave makes this choice ever-present for working families. HB 1326 is designed to address the deficiencies in the MHWFA that have been exposed by the pandemic.

HB 1326 seeks to add provisions to the Maryland Healthy Working Families Act to protect our workforce and small businesses by: (1) establishing public health emergency leave; (2) extending MHWFA applicability to many (now deemed essential) industry workers that were originally excluded from the 2017 legislation by removing exemptions for agricultural workers, temporary workers, and on-call health professionals; and (3) allowing all workers to have access to using 14 days of paid emergency sick leave during a public health emergency. Moreover, this legislation would protect small businesses – by allowing sick employees access to sick leave, this promotes safety in the workplace and shields employers from liability of facilitating unsafe working environments.

JOTF is committed to supporting legislation that ensures that Maryland Healthy Working Families Act continues as current law with provisions that are responsive to the ever-changing environment of Maryland communities. Hard-working Marylanders, in particular low-income workers who are least able to lose even a single paycheck, should be able to accrue and use necessary sick and safe leave without the risk of falling into poverty. For these reasons, we respectfully urge a favorable report of House Bill 1326.