

CHAIRMAN:
Rob Scrivener
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Brian Russell

MARYLAND ASPHALT ASSOCIATION



SECRETARY:
David Slaughter
TREASURER:
Jeff Graf
PRESIDENT:
G. Marshall Klinefelter

February 10th, 2022

Senator Delores G. Kelley, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Senate Bill 224 – UNFAVORABLE – Labor and Employment – Employment Standards and Conditions – Definition of Employer

Dear Chair Kelley and Members of the Finance Committee:

The Maryland Asphalt Association is comprised of 18 producer members representing more than 47 production facilities, 24 contractor members, 24 consulting engineer firms and 41 other associate members. We proactively work with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland's multimodal transportation system.

Senate Bill 224 would expand the applicability of the definition of employer to include a joint employer, meaning "a person who acts directly or indirectly in the interest of another employer with an employee." As noted in the fiscal and policy note prepared by the Department of Legislative Services, the impact to small businesses is meaningful. They state that by expanding the definition of employer it would expand liability for third parties, such as a subcontractor, to damages that are three times higher than the wages owed to an employee. This is extremely concerning to our members, many of whom are small businesses. At a time when our businesses are struggling significantly, we simply cannot support legislation that adds additional burdens and costs to our members.

We appreciate you taking the time to address this important issue, and we urge an unfavorable report on Senate Bill 224.

Thank you,

Marshall Klinefelter
President

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