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February 21, 2024

Delegate C.T. Wilson, Chair
Economic Matters Committee
231 House Office Building
Annapolis, MD 21401

RE: HB 649 – UNFAVORABLE – Labor and Employment – Equal Pay for Equal Work – Wage Range Transparency

Dear Chair Wilson and Members of the Committee

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms, and 41 other associate members. MAA works proactively 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.

House Bill 649 requires employers to disclose wage ranges in job postings and to employees upon request. Employers are prohibited from retaliating against applicants or employees who request wage range information, and employers must maintain records of compliance for at least three years. HB 649 empowers the Commissioner to take action against employers found in violation of the disclosure requirements, which may include issuing orders for compliance, assessing civil penalties, and conducting hearings.

This bill is overreaching and onerous, yet again on Maryland's employers. It is particularly problematic as it relates to authorizing an applicant for employment to bring an action for not properly disclosing the wage range. The current budget deficit to Maryland's transportation sector is causing a significant administrative burden in our industry, and the provisions of this bill would only exacerbate such effects. The intent of this legislation may be to punish bad actors, but by enacting this law, all Maryland employers will be punished.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on House Bill 649.

Sincerely,

Tim E. Smith, P.E.
President
Maryland Asphalt Association