



February 20, 2020

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

Re: SB 0641 – Maryland Wage and Hour Law and Maryland Wage Payment and Collection Law – Revisions (Maryland Wage Protection Act) – Oppose

Dear Senator Kelley:

SB 0641 would make several unreasonable and unrealistic changes to the existing wage payment and collection law in Maryland.

Changing the definition of supervisor to include an individual with *apparent* authority to alter the terms and conditions of employment leaves businesses having to defend the possible actions of someone who has absolutely no power to affect an employee's wages, or other conditions of employment. Adding a presumption of guilt of the employer (simply due to an accusation) seems entirely contrary to our system of justice and would not be considered in any other context. It should not be considered here. Furthermore, requiring that the name of the person making the complaint be kept confidential unless consent by the employee is given is also contrary to a fair and just process. Businesses should have no fewer rights in the ability to face their accuser than any individual. This provision would also leave businesses without the ability to properly prepare a defense by not being able to investigate the circumstances surrounding a particular employee's (the accuser) situation and what may have lead to the accusation.

Allowing one employee to bring an action against the employer on behalf of other employees would also leave the employer without the ability to adequately investigate and address a complaint. Most businesses are not unionized. Applying a particularly "union" approach to such situations is unreasonable for similar reasons as stated above.

The Carroll County Chamber of Commerce, a business advocacy organization of over 600 members, opposes this bill. We therefore request that you give this bill an unfavorable report.

Sincerely,

A handwritten signature in black ink that reads 'Mike McMullin'.

Mike McMullin
President
Carroll County Chamber of Commerce

CC: Senator Justin Ready
Delegate Haven Shoemaker

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