

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2017 Legislative Session

Reference No.: CB-87-2017

Draft No.: 2

Committee: HEALTH, EDUCATION AND HUMAN SERVICES

Date: 10/12/2017

Action: FAV (A)

REPORT:

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE DATE: 10/12/2017

Committee Vote: Favorable with Amendments, 4-0-1, (In favor: Council Members Toles, Taveras, Franklin, Harrison Abstain: Turner).

The Legislative Officer oriented the Committee on the history and purpose of the legislation. Prior to Committee the bill was amended as reflected in Draft 2 and the amendments were outlined by the Legislative Officer. CB-87-2017 Draft 2 amends Subtitle 13A. Labor Code. The legislation allows for county-wide paid sick and safe leave for purposes of domestic violence, sexual assault, and or stalking for an employee working in the County for certain employers.

The sponsor explained the purpose of the legislation indicating the need to support and protect victims of domestic violence. This Bill when passed would provide protection while waiting for passage of the State's Bill (HB 1). The sponsor raised a question regarding the exemption of seasonal employees – over the age of 18 or 19. That language is being requested to be included in the legislation.

The County Executive's staff spoke in opposition to the Bill urging the Committee to allow the State legislature the opportunity to proceed with overriding the Governor's veto on HB 1. The County Executive's representative further indicated that the Office of Management and Budget was currently working on a fiscal impact statement and that additional time was needed to complete the fiscal impact statement.

Audits and Investigations had not prepared a fiscal impact statement in anticipation of the legislation being modified. The Committee requested that prior to introduction a fiscal impact statement be provided to include impact on the private sector and the Prince George's County Office of Human Relations Commission's role pursuant to CB-87-2017 Draft 2. The Director of the Prince George's County Office of Human Relations Commission is charged with enforcement.

The Apartment and Office Building Association (AOBA) representative spoke in opposition to CB-87-2017 recommending that the Committee wait on the outcome of the State and that Montgomery County passed similar legislation. The representative further stated that if CB-87-2017 is passed, that private businesses would have three (3) pieces of legislation to adhere to, Prince George's & Montgomery Counties and the State. In an effort to reach a compromise, it was suggested that the effective date change to March 1, 2018.

The Prince George's County Chamber of Commerce representative indicated support of the sponsor's efforts, however, expressed concerns with the approach. The representative further indicated that amendments had been previously submitted; all of which were not considered. The two (2) remaining amendments that were not considered were to exempt union contract employees and adjunct faculty – health care workers can be part time employees. It was further stated that the impact of the Bill would make it more of a challenge for the industry to compete.

The Restaurant Association of Maryland spoke in opposition to the Bill expressing a desire to see the outcome of the State efforts. It was further stated that the Bill would cause undue hardship on the restaurant businesses.

The Maryland Retailers Association representative spoke in opposition to the Bill urging the Committee to allow the State legislature to proceed with the override of the veto. The representative further stated that the grocery stores have a 1 – 2 % profit margin and this Bill would cause further financial hardship.

A Council Member raised the issue of employee notification of requests for leave expressing concerns for employee privacy. Staff indicated that HIPPA protects the employee's privacy; by limiting the amount of information that can be shared.

In an effort to address some of the impacted parties concerns with CB-87-2017 Draft 2; a motion was made to modify the effective date from 45 days to “after the end of the Maryland General Assembly 2017 Session,” as reflected in CB-87-2017 Draft 2.

In addition, language was added to exempt “Union Contract employees” and “Adjunct Faculty” (contractual employees) as reflected in CB-87-2017 Draft 2.