



## House Bill 124

### *Occupational Safety and Health Standards to Protect Employees - Aerosol Transmissible Diseases and COVID-19*

MACo Position: **OPPOSE**

To: Economic Matters Committee

Date: January 28, 2021

From: Michael Sanderson

The Maryland Association of Counties **OPPOSES** HB 124. This bill fast tracks, with many required details, a new workplace safety regime to oversee safety precautions for airborne contagions. MACo is concerned that these statutory requirements may trigger unreasonable burdens in both compliance and enforcement.

The COVID-19 pandemic has placed employers, including local governments, under great stress to continue to serve, deliver, or produce while facing safety threats. A path forward for workplace oversight to guide the propriety of such measures is a sensible follow-through. HB 124, however, is deeply prescriptive, and pre-supposes a lengthy list of measures that must appear in such emergency regulations.

County governments are affected, not only in their capacity as employers, but also in HB 124 in some cases as the entities charged with fielding complaints about these workplace concerns. Local health departments and their environmental health specialists simply do not have the capacity nor personnel to step into a new role to field and engage in the sort of workplace interventions envisioned under this bill. The State Department of Labor, using a stakeholder-driven process, is the better and time-tested means to bring about any new oversight and enforcement in this area.

Under HB 124, and its multiple specific requirements, counties would be obliged to engage in a deep classification of their thousands of employees, with evaluation toward the risks not only for COVID-19 but untold other possible jobsite concerns. Again, the detailed nature of the requirements in HB 124 make the bill so all-encompassing as to likely put even the most diligent county governments out of compliance in some manner.

HB 124 creates overbroad and very specific direction for a new workplace safety regime, substituting for the standard (even accelerated) regulatory process developed to create just such a set of standards. For these reasons, MACo requests an **UNFAVORABLE** report on HB 124.