



MARYLAND GENERAL ASSEMBLY

November 15, 2017

Hand-Delivered

The Honorable Thomas V. "Mike" Miller
President of the Senate
State House
Annapolis, MD 21401

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis, MD 21401

Dear President Miller and Speaker Busch,

As women members of the Maryland General Assembly, we are committed to the elimination of violence against women. This is part of the promise made in the Pledge to the Women of Maryland adopted more than two decades ago by the Maryland Women's Caucus. We have worked hard, and continue to work hard, to pass legislation protecting victims of violence, as well as increase awareness and advocacy on the many aspects of this critical issue.

It is with this in mind that the undersigned women of the Maryland legislature write to express our concerns regarding the very real, albeit unintended, consequences of HB 1 Maryland Healthy Working Families Act, or the Sick and Safe Act. The permissive language in Section 3-1305 of the bill allows an employer to ask an employee to "provide verification that the leave was used appropriately." On its face, this seems like a reasonable requirement – provide a doctor's note if you're out sick. However, in the case of domestic violence or sexual assault, this becomes incredibly intrusive. It is hard to determine what level of information one has to provide that would not be a complete invasion of privacy. Quite simply, no woman should have to disclose to their employer that they are taking leave because of domestic violence or sexual assault. Such a requirement further victimizes these women by giving them no choice but to disclose deeply personal and private information. It just goes too far.

The Baltimore Sun Editorial Board noted these facts last May by highlighting that HB1, "goes to great lengths to specify under what circumstance workers would be allowed to take sick days, what constitutes a 'family member' for whom a worker can use sick days to provide care, **and for what purposes a victim of domestic violence may use time off.** And it includes notice requirements that could force a worker to tell an employer more about his or her health than is necessary or warranted." [emphasis added]

While well-meaning, HB1 takes us backwards in Maryland's effort to assist the victims of domestic violence and sexual assault. Rather than reconsidering HB 1 in January, we implore you to pass a paid sick leave bill that allows individuals and parents to keep health issues a private matter, and victims and family members to keep any potential domestic violence or sexual assault issue out of the employer's purview.

Sincerely,

Delegate Kathy Szeliga

Delegate Susan Aumann

Delegate Kathy Afzali

Senator Gail Bates

Delegate Mary Beth Carozza

Senator Adelaide C. Eckardt

Delegate Teresa Reilly

Delegate Trent Kittleman

Delegate Susan Krebs

Delegate Susan McComas

Delegate Deb Rey

Delegate April Rose

cc: Delegate Ariana Kelly, President, Maryland Women's Caucus
Members of the Maryland Women's Caucus