



2022 General Assembly Legislative Session



Agenda

- **Legislative Impacts on Labor**
 - **Targeted Workforce Programs**
 - **Apprenticeship Expansion**
 - **Paid Family and Medical Leave Insurance Program (FAMLI)**

Targeted Workforce Initiatives

- **House Bill 158 (passed)** establishes the Maryland New Start Grant Program in the Maryland Department of Labor. MDL must award grants to at least five eligible organizations to create or support existing entrepreneurship development programs that assist specified formerly imprisoned individuals or specified individuals approved for release by a correctional facility.
- **Senate Bill 518 (passed)** establishes the Career Pathways for Health Care Workers Program in the Maryland Department of Labor to provide matching grants to hospitals or related institutions that pay for training programs attended by health care workers, with the goal of providing increased opportunities for health care workers to receive relevant training. Training programs are to be provided by a historically black college or university, or a community college. The Governor must include in the annual budget bill an appropriation of at least \$1 million for the program.

Apprenticeship Expansion

- The approved budget includes **\$25 million** in funding for apprenticeship programs. The budget committees also directed the Maryland Department of Labor to establish workgroups to study public safety, health, and transportation vacancies in State employment and the potential for the creation of apprenticeship programs to assist in recruiting for the State workforce.
- **Senate Bill 541 (Ch. 39)** requires that DNR, by October 1, 2023, and in collaboration with the Maryland Department of Labor, identify opportunities to create registered apprenticeship programs to help address workforce shortages and the career workforce needs of DNR.
- **House Bill 1208 (passed)**, among other things, required MDH to work with the Maryland Department of Labor to convene a stakeholder workgroup to study expanding the State apprenticeship programs to the healthcare workforce.
- **Senate Bill 61/House Bill 10** requires the Maryland Transit Administration (MTA) to (1) provide safety and workforce development training (including registered apprenticeships and other labor-management training programs) for its workforce related to the new zero-emission buses that it is required to purchase under the Zero Emission Transition Act

Family and Medical Leave Insurance (FAMLI)

Sponsors:	Sen. Hayes & Benson
Status:	Gubernatorial Veto Override (Legislative date: 4/8/2022) - Chapter 48
Program Administer:	Title establishes the Family and Medical Leave Insurance Program within the Maryland Department of Labor.
Fund:	Establishes the Family and Medical Leave Insurance Fund as a special nonlapsing fund which may only be used for the purposes of this Program.
Qualifications:	Covered employee is an employee who has worked at least 680 hours over the 12-month application year immediately preceding the date on which leave is to begin.

Family and Medical Leave Insurance (FAMLI)



<p>Who Can Contribute / Rate of Contribution:</p>	<p>Employees/employers of 15 or more are required to contribute.</p> <p>Employees/employers of 14 or less have the option to contribute and would only pay whatever other employees would be required to pay if they choose to join on their own.</p> <p>An individual who is the sole owner of a sole proprietorship, limited liability company, C corporation, or S corporation, and is the only individual employed by the sole proprietorship, limited liability company, C corporation or S corporation have the option to contribute.</p> <ul style="list-style-type: none">- Must participate for an initial period of no less than three years. <p>The Secretary and relevant stakeholders will conduct a cost analysis due December 1, 2022 to determine the appropriate cost-sharing formula between employers and employees, either a 75/25 split with workers paying more or a 25/75 split with workers paying less.</p>
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Family and Medical Leave Insurance (FAMLI)

Leave Specifics:	<p>Minimum increment is 4 hours, maximum is 12 weeks in an application year except the employee may receive an additional 12 weeks for care of a newborn child, adoption, fostercare, etc. or if a serious health condition arises.</p> <p>Leave must run concurrent with FMLA leave and an employee MUST exhaust all employer-provided leave first before receiving these benefits.</p>
Weekly Claim Amount:	<p>Must be at least \$50 and can't exceed \$1,000. For the 12 month period beginning January 1, 2026 and each 12 month period after, the Secretary will use CPI to calculate new benefit amounts.</p> <p>The Board of Public works can temporarily suspend a benefit increase if the seasonally adjusted total employment is negative.</p>

Family and Medical Leave Insurance (FAMLI)

Claim Denial:	An employer must keep the employee's job for when they return and an employer cannot request a denial of a claim based on a demonstrated hardship but they can fire an employee for cause during their leave.
Penalties:	If an employee commits a penalty, they can be disqualified from receiving benefits for one year. If an employer commits a penalty, they can face a \$1,000 penalty for each occurrence.
Private Employer Plan Option:	Employers may satisfy this title through a private employer plan which must be approved by the Department and meet or exceed the benefits provided by this Program. They are then exempt from the fund contributions.

Family and Medical Leave Insurance (FAMLI)

Contribution Start Date vs. Claim Start Date:	Contributions begin October 1, 2023 . Benefit Claims cannot be submitted until January 1, 2025 .
Regulations:	The Secretary in consultation with other state agencies and relevant stakeholders must adopt regulations to establish various procedures and standards by June 1, 2023 .

Family and Medical Leave Insurance (FAMLI)

Reports:

- **Sept. 1 annually:** Labor Secretary reports on the administration and operation of the Program.
- **Oct. 1, 2022:** Labor must conduct an actuarial study on the cost of covering contributions for community providers.
- **Oct. 1, 2022:** DLS reports the consultant's findings and recommendations regarding the capability and capacity of Labor to implement and administer the Program.
- **Dec 1, 2022:** Labor reports cost analysis, cost-sharing formula, cost efficiency, rate of contribution, etc. And every two years beginning December 1, 2025.
- **Jan. 1, 2023:** Labor reports on dual eligibility of UI and FMLI's impact on employer ratings. Also the effective date of legislative intent that the State pays for community providers and employees making less than \$15 per hour.

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