



February 26, 2025

The Honorable Dylan Behler
Delegate
Maryland General Assembly
154 Lowe House Office Building
6 Bladen Street
Annapolis, MD 21401

The Honorable Jazz Lewis
Delegate
Maryland General Assembly
151 Lowe House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: Opposition to H.B. 1413

Dear Delegate Behler and Delegate Lewis:

On behalf of SHRM and the Maryland SHRM State Council (MDSHRM), we would like to express our opposition to H.B. 1413, which requires every employer to establish a workplace policy that provides employees with the right to disconnect from communications from the employer during nonworking hours.

SHRM and MDSHRM recognize the need for clear expectations regarding when and how work gets done, but our experience shows that blanket approaches to challenges in the workplace usually fail to deliver the expected results and often harm those they are designed to help. Instead, it is our firm belief that together, we can find a mutually beneficial solution. We stand ready to work collaboratively with you and the Maryland General Assembly to develop policies that prioritize employee well-being while ensuring business continuity and success.

As the trusted authority on all things work, SHRM is the foremost expert, researcher, advocate and thought leader on issues and innovations impacting today's evolving workplaces. With over 340,000 members in 180 countries, SHRM touches the lives of more than 362 million workers and their families globally. MDSHRM is the liaison and support organization that links Maryland's 10 local SHRM chapters with SHRM's regional and national organizations. It is dedicated to uniting and supporting Maryland's nearly 7,700 SHRM members.

SHRM and MDSHRM are deeply concerned about the negative impact H.B. 1413 would have on Maryland businesses and workers alike. The bill's one-size-fits-all approach limits the autonomy that employers and HR professionals need to establish effective workplace cultures. A workable solution to this issue requires a collaborative approach that promotes a focus on clear communication and encourages employers to set transparent expectations for after-hours work at the outset of employment and for specific projects.

After-hours intrusions can certainly lead to employee dissatisfaction—in fact, SHRM research indicates that employees with low work/life integration are 34 times more likely to dread going to work compared to those with high work/life integration. However, sweeping mandates rarely yield positive outcomes. Instead, SHRM urges policymakers to focus on targeted efforts that enhance workers' livelihoods and enable businesses to thrive. These include initiatives such as greater flexibility and total rewards policies (i.e., the monetary and non-monetary incentives an employee earns) that acknowledge all work performed, benefiting employees without stifling innovation and productivity.

SHRM and MDSHRM specifically oppose H.B. 1413 for the following reasons:

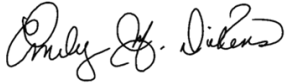
- **Compliance Uncertainty:** The bill lacks clear definitions of the term “emergency.” This ambiguity could lead to inconsistent enforcement and numerous legal challenges.
- **Sector and Role Sensitivity:** This legislation does not adequately recognize the different realities of various industries and roles. For example, what constitutes an emergency can vary greatly between a tech startup and a health care provider, making a blanket approach even more unworkable.
- **Operational Agility:** Restricting all after-hours communication could hinder critical work processes and delay important business decisions. This could negatively impact businesses’ ability to serve their customers and respond to changing conditions.
- **Applicability:** The legislation creates a catch-22 for an employee who cannot be simultaneously disconnected to comply with the law and connected to the employer to respond to an emergency. In addition, an employee needs to be connected to determine the nature of communication from their employer. Without accepting a phone call or reading an email, the recipient cannot know the nature of the message.
- **Work-Hour Flexibility:** This legislation unreasonably restricts occasional overtime necessitated by the natural flow of work. Employers should be allowed to manage work hours in response to operational demands.
- **Administrative Burdens:** H.B. 1413 could create a significant administrative burden for HR professionals and employers, diverting resources from strategic functions to compliance tasks and reducing overall business efficiency and economic competitiveness.
- **Inadequate Implementation Time:** The legislation requires employers to comply within six months of enactment, a relatively short time to develop and implement a sound policy. This time frame may also negatively impact employee needs, business practices, and/or company competitiveness as the employee and employer work through the challenges of establishing such a policy.
- **Economic Competitiveness:** In today's interconnected market, businesses with global or multi-state operations rely heavily on seamless communication across different time zones. H.B. 1413 would place these businesses at a significant disadvantage compared to competitors in regions without such restrictions. This legislation could adversely impact businesses of all sizes, particularly small to medium-sized enterprises, by limiting their ability to respond promptly to critical issues and maintain operational agility. The resulting delays and inefficiencies could hinder their competitiveness and growth in both domestic and international markets.

While SHRM and MDSHRM oppose this legislation, we believe our expertise can be a valuable resource to find common ground. We recognize your desire and share your goal of improving work/life integration for Maryland workers.

If you have questions regarding SHRM's position on H.B. 1413 or other policies impacting the workplace, please contact Steven Perrotta (Steven.Perrotta@shrm.org), Mike Rose (mike.rose@shrm.org), or Sean McIntosh (sean.mcintosh@shrm.org).

Thank you for the work you do on behalf of your constituents and Maryland businesses.

Sincerely,



Emily M. Dickens, J.D.
Chief of Staff, Head of Government Affairs &
Corporate Secretary
SHRM



Paige Boughan
State Legislative Director
Maryland SHRM State Council

cc: Maryland General Assembly