

**Why MABE supported SB 686 in 2019 - and looks forward to future legislative action to address local school system concerns with implementing the earned sick and safe leave requirements for daily substitute teachers.**

**SB 686 - Maryland Healthy Working Families Act - Applicability** - This bill would have exempted from the Maryland Healthy Working Families Act an employee who is called to work by a local board of education on an as-needed basis, can reject or accept the shift offered, and is not guaranteed to be called on to work. (MABE Position: Support) Status: SB 686 received a positive hearing in the Senate Finance Committee on 2/21, but was never acted on.

- MABE strongly supported this bill in order to treat daily, on-call as-needed, employees in the public school setting in the same manner as daily on-call as-needed employees in the health and human services industries wh are already exempted from the new law’s mandated benefits. ([MABE Testimony](#))

MABE is pleased that the [2019 Joint Chairmen’s Report](#) does raise concerns with school system abilities to comply with the law and requests a report from MSDE by Dec. 1, 2019 based on a survey of each local school system.

**Sick and Safe Leave for Substitute Employees:** The committees are concerned about the ability of local education agencies (LEA) to comply with the requirements of the Maryland Healthy Working Families Act (Chapter 1 of 2018) to provide paid sick and safe leave to substitute employees who work at least the minimum number of hours required to earn paid sick and safe leave. Some LEAs may have recordkeeping processes and systems that are designed to only compensate substitute employees for hours worked and may not account for these substitute employees’ earned sick and safe leave. Therefore, each of the 24 LEAs in Maryland should submit to the Maryland State Department of Education (MSDE) descriptions of their current recordkeeping processes and systems for providing sick and safe leave to substitute employees. These submissions should include:

- how substitute employees receive job assignments;
- how substitute employee hours are recorded;
- how earned sick and safe leave hours are calculated for substitute employees and accounted for in the LEA’s payroll system; and
- how substitute employees are able to utilize sick and safe leave under the system, including how a substitute for the substitute employee is identified.

MSDE should compile the submissions from LEAs into a report to be provided to the committees by December 1, 2019.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Sick and safe leave for substitute employees report	MSDE	December 1, 2019

## **What is the Joint Chairmen's Report?**

A final report detailing every action taken by the General Assembly upon the budget bill, commonly called the Joint Chairmen's Report, is submitted by the chairman of the Senate Budget and Taxation Committee and the chairman of the House Appropriations Committee. The Joint Chairmen's Report (JCR) includes committee narrative which is generally used to request an agency to complete an extensive study, status report, or other actions. All reports requested via committee narrative have a specific due date. This committee narrative does not have the effect of law nor does it require agreement to the language on the part of the entire House and Senate. However, for committee narrative to appear in the joint report, both budget committees must agree. Aware that future appropriations must be approved by the committees, departments are generally responsive to narrative requests.