



December 20, 2022

Tiffany P. Robinson  
Secretary, Maryland Department of Labor  
100 N. Eutaw St.  
Baltimore, MD 21201

Re: Time to Care Act Planning and Implementation

Dear Secretary Robinson:

The Maryland Association of Counties (MACo), Maryland Municipal League (MML), Maryland Association of Boards of Education (MABE), and Public School Superintendents' Association of Maryland (PSSAM) respectfully write with grave concerns about the planning and pending implementation of the Time to Care Act. While we value the goals of the Time to Care Act, local governments have deep trepidations about the feasibility of the law's implementation timeline and requirements.

The current timeline requires the Department of Labor to submit final recommendations for regulations for the establishment and operation of the statewide paid leave insurance fund by June 2023. Subsequently, employer and employee contributions are set to begin in October 2023, with the benefit starting January of 2025.

This means that local governments will not know many of the critical details of the law and requirements of its implementation – including the mandatory employer and employee contribution rates – until June, but will need to have a program fully built out and ready to start collecting contributions only four months later by October. Similarly, entities that plan to seek an exemption from the Department of Labor by offering an equal or superior benefit will only have four months from learning the legal requirements of the law to establish an alternative benefits program, submit that plan for approval from the Department, and ready the program for contributions.

In addition to establishing the benefit program, employers will need to procure technology platforms and systems capable of managing the contributions, consider the cybersecurity of said tools, develop communications and education campaigns to explain the new benefit to staff, and create enrollment plans – all ahead of the October contribution startup.

Not only is this logistically challenging, but also is potentially impossible for local governments to navigate. Some counties, for example, will be required to seek approval from their governing body to establish the new benefit, plus budgetary approval to fund employer contributions and any costs

associated with establishing and implementing the benefit. Likewise, local boards of education may have to seek comparable support from county governments.

Furthermore, the current timeline is surely not sufficient for the Department of Labor to adequately consider and rule on said applications for exemption.

As such, local governments and boards of education are posing the following questions and requests to help address some of these concerns:

- Will the Department provide any insight into pending regulations, especially related to the undetermined benefit details like contribution rates and benefit eligibility for part-time jointly hired employees ahead of the June 2023 deadline to help inform our planning?
- Will the Department provide more information on the exemption options ahead of the June regulatory deadline?
- Will the Department provide an expedited application to address the timeline logistical concerns mentioned in this letter?
- What can employers expect regarding the turnaround time from application to Department decision?
- If the Department does not plan to publish the above requests ahead of June 2023, will it be possible to provide local governments with advanced notice of the critical items discussed in this letter?

MACo, MML, MABE, and PSSAM look forward to continuing to work with the Department and State on the implementation of the Time to Care Act and hope that the Department will strongly consider our concerns and requests. Please do not hesitate to reach out to MACo Associate Policy Director Brianna January at [bjanuary@mdcounties.org](mailto:bjanuary@mdcounties.org) if you have any questions about these comments.

Respectfully,



Michael Sanderson  
Executive Director, MACo



Theresa Kuhns  
Chief Executive Officer, MML



Frances Hughes Glendening  
Executive Director, MABE



Mary Pat Fannon  
Executive Director, PSSAM