

**TESTIMONY OF JONATHAN C. PUTH ON BEHALF OF THE
METROPOLITAN WASHINGTON EMPLOYMENT LAWYERS
ASSOCIATION IN SUPPORT OF HB 872,
MARYLAND WAGE PAYMENT AND COLLECTION LAW
PROHIBITION AGAINST RETALIATION
March 8, 2016**

To the Chair and Members of the Committee, I am honored to testify on behalf of the Metropolitan Washington Employment Lawyers Association (MWELA) in support of HB 872. We are grateful to the Committee for its consideration of this legislation once again, after having passed the bill by an overwhelming margin following its last introduction two years ago. If enacted, this law will provide protection from retaliation for Maryland employees who raise workplace concerns about non-payment of wages. This important legislation will simply bring the Maryland Wage Payment and Collection law in line with other statutory employment protections from retaliation and will help encourage the informal resolution of workplace disputes.

I am a Maryland attorney and Immediate Past-President of MWELA, an association of over 350 lawyers who primarily represent employees and who are dedicated to the advancement of employee rights and the proper administration of law. MWELA is among the largest and most active affiliates of the National Employment Lawyers Association (NELA), the country's largest bar association that advances equality and justice in the workplace and whose members represent individuals in employment disputes. As a Maryland lawyer and a member of a small law firm, 100% of my practice is devoted to the representation of employees, a significant portion of whom have claims before Maryland courts and administrative agencies and which include claims asserted under the Maryland Wage Payment and Collection Law.

The anti-retaliation provisions of our workplace laws serve a critical function; by encouraging individuals to raise workplace concerns internally and informally, employers and employees may resolve differences without the need for legal complaints and expensive litigation. Due to the absence of anti-retaliation protections in Maryland, however, employees are discouraged from raising concerns about the non-payment of wages because under current law they may be reprimanded or even fired for doing so. Employers have few incentives to refrain

from retaliating in many instances, leaving litigation the only course for employees who may have been cheated of their wages.

Anti-retaliation protections are important features of our statewide workplace statutes, including Maryland's Human Rights Act, our Equal Pay Act, and our Wage and Hour Law. The Maryland Wage Payment and Collection Law stands alone among these, however, as lacking anti-retaliation protections. Our members are continually compelled to advise employees that if they raise concerns about the non-payment of wages then the law provides them no refuge from retaliation. When an unscrupulous employer refuses pay the hard-earned wages of its employees, the employees' choice may be between working and litigating in order to simply get paid. HB 872 will fix this gap in the law.

Our Maryland Wage Payment and Collection Law is particularly important for low wage employees who may be vulnerable to exploitation when their long hours of labor are not compensated at the agreed-upon rate. Without an effective anti-retaliation provision, however, the promises of our law may become illusory. HB 872 will supply a much-needed protection by allowing targets of wage theft to raise their concerns about not being paid the promised wage, and will provide the employers with incentives to fix the problem instead of firing the employee.

Maryland employees deserve to be paid the wages that they earn. With the effective protections afforded by HB 872, that long-standing promise of the Maryland Wage Payment and Collection will become better fulfilled. Thank you, and I urge your full support for HB 872.

Jonathan C. Puth
Correia & Puth, PLLC
1775 K St., N.W., Suite 600
Washington, DC 20006
(202) 602-6500
www.correiaputh.com
jputh@correiaputh.com