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DEMOCRAT FOR ATTORNEY GENERAL

Plan to Protect Unions and Workers

Executive Summary

As your Attorney General, I will ensure my office aggressively protects our state's workers both in the public and private sectors. Maryland needs an Attorney General who will bring lawsuits against employers engaging in unethical or illegal business practices which deprive workers of wages in favor of profit. There is no silver bullet in enforcement. What makes a difference is tenacious and transparent monitoring and enforcement of existing laws.

Every worker should have the right to organize and negotiate on a level playing field with their employers for fair wages, working conditions, and career advancement. I oppose any effort to weaken or disrupt public and private workers' right to organize. I will aggressively prosecute corporations when they violate workers' rights and ensure wage and labor laws are enforced. A strong and protected working class will result in better schools, healthier families, and more opportunities for all Marylanders.

I am prepared on my first day in office to:

- **Fight for the right of workers to collectively bargain;**
- **Establish a Worker Protection Unit;**
- **Prosecute wage theft;**
- **Ensure safe and fair 21st Century workplaces; and**
- **Hold quarterly meetings with labor advocates.**

Fight for the Right of Public Workers to Collectively Bargain

Maryland must set the example for private employers in their treatment of state workers in its state agencies and in Maryland's public institutions. State government must treat workers fairly in order to set an example for the private sector. Unfortunately, Governor Hogan has not bargained in good faith with all public sector employees exposing the weakness in the state's collective bargaining laws. As a result, outside of law enforcement, state workers have too often been denied cost of living adjustments, annual merit increases and the opportunity to work collaboratively at the negotiation table to improve working conditions. Agencies have seen an erosion of pay, lost workers to better paying local jurisdictions, and increased workloads for remaining state employees.

I will lead the effort to correct this trend that has eroded government service by ensuring collective bargaining is conducted in good faith at the bargaining table. We need to expand collective bargaining rights, including the subjects that may be legally discussed in collective bargaining. In particular, I support efforts by teacher's unions to make class size a legal subject of collective bargaining as a way to reduce burnout and improve educational outcomes. Take it or leave it initial offers is bad faith bargaining; my office will train and advise agencies of their obligations under state law. I strongly support collective bargaining legislation that would provide collective bargaining rights like binding interest arbitration for state employees. I also support bills like H.B. 1225, which would allow employees of the Harford County Public Library system to engage in collective bargaining.

Furthermore, the State Labor Relations Board must be a truly independent and neutral third party to settle grievances and exclusivity for all public sector employees in Maryland. In my first session, I will work with labor to introduce a reform of state workers' right to organize, collectively bargain and provide a binding interest arbitration process. I will also oppose anti-organizing efforts that our public institutions have utilized to block workers in higher education from organizing.

Establish a Worker Protection Unit

I am committed to establishing a Worker Protection Unit ("WPU") where assistant attorneys general will investigate and prosecute individuals and corporations engaging in the exploitation of Maryland's work force through wage theft, payroll fraud, and other violations. Additionally, the WPU will enforce existing worker safety protections as well as assist in developing stronger protections for Maryland workers. The WPU will provide Maryland workers with contact information and other resources regarding their workplace rights. The WPU can also follow the District of Columbia's Worker Protection Unit model by providing workers with a wage and hours tracking tool to ensure they are fairly compensated.

Finally, both public and private sector employees deserve a safe place to report workplace violations without jeopardizing their family's economic security. I will establish a worker hotline within the WPU allowing Marylanders to report their wages and working hours, as well as discriminatory and illegal employment practices in the workplace. Tips will be forwarded to the appropriate enforcement agencies with a member of my office assigned to achieve an appropriate resolution.

Prosecute Wage Theft

Wage theft denies employees of living wages in the name of profit maximization. At a time when Maryland workers are struggling to make ends meet because of inflation and the ongoing pandemic, wage theft must be vigorously countered with proactive enforcement and prosecution. Unscrupulous employers who violate prevailing wage laws are stealing money from employees for corporate profit. The Attorney General's office and state Department of Labor, Licensing, and Regulation ("DLLR") recovered nearly \$5.5 million in stolen wages between 2017 and 2020 with very light enforcement; I will work with DLLR to support their enforcement efforts by providing increased access to trained attorneys.

Maryland has laws addressing prevailing wage, worker misclassification, workers' compensation, family medical leave, and mandatory health care on public works projects. Currently, Maryland law allows damages against an employer that has committed wage theft which amounts to three times what was stolen, and I will seek treble damages as a deterrent to future wage theft tactics by employers. I will work with labor groups, forensic accountants, and legal experts to identify the variety of ways that wage theft occurs (including denial of overtime pay, employee misclassification, and illegal deductions).

I will work with labor leaders to develop and implement training for the executive leaders of all state contracting agencies apprising them of the relevant laws and available enforcement options relating to wage violations, wage theft, and fraudulent statements in the procurement process. Additionally, I will direct agency-assigned personnel in the Attorney General's office to conduct retrospective analyses of potential violations over the past two years to identify patterns of abuse and chronic violators for appropriate enforcement actions.

Ensure Safe and Fair 21st Century Workplaces

As Attorney General, I will devote additional enforcement and investigative resources to support DLLR and other agencies charged with ensuring safety and fairness on the jobsite. I will also support the right of Marylanders to freely exercise workplace rights free from sexual harassment, intimidation, and retaliation.

I stand with organized labor to advocate for increased protections and wages for Maryland's frontline workers. Specifically, I call on the General Assembly to follow the model of California to pass a comprehensive workplace violence prevention legislation to protect our state's healthcare workers. I will also advocate for pay raises for our state's Paraprofessionals and School Related Personnel. Our schools' support staff have dedicated so much to foster good educations for our state's children but have been deprived of living wages for years.

I will also advocate for the General Assembly to clarify labor rights of platform workers, such as Uber drivers and DoorDash deliverers. Marylanders participating in the gig economy must not be misclassified as independent contractors, denying them of wages and workplace protections.

Hold Quarterly Meetings with Labor Advocates

If elected, I am committed to being the most accessible Attorney General possible. If elected, I am committed to being the most accessible Attorney General possible. I commit to quarterly meetings with organized labor to ensure that my office is responding to on-the-ground realities in our economy. Moreover, attorneys from my office, through their roles as agency counsel, will have constant contact with labor leaders on the frontlines. With increased communication, the Attorney General's Office will be able to troubleshoot the day-to-day concerns of labor, work across agency jurisdictions with efficiency, and provide more real time protection to Maryland workers.