



February 16, 2026

Finance Committee
Senator Pamela Beidle
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 0857 – Civic and Related Activities - Protection (Maryland Employee Civic Activity and Lawful Expression Protection Act) - Oppose

Dear Senator Beidle:

SB0857 seeks to prohibit employers from inquiring about applicants' or employees' civic activities, unless the activity is related to specific job requirements. In light of the list of activities contained in the bill, we believe an employer's rights will be severely abridged. Restricting an employer's rights risks:

1. Disruption of Workplace Productivity and Cohesion

- **Reduced Productivity:** Workplace political, social, or civic activism can be highly divisive, with SHRM estimating that workplace incivility, including political disputes, can result in significant losses in productivity.
- **Harm to Workplace Harmony:** Intense political discussions or activism can create a hostile work environment, and increasing discomfort among employees who do not share the same views.

2. Legal Risks for Employers. While this bill described the civic activity as being off-duty, not on company property, etc., in reality what occurs outside of the place of employment will affect the environment within the place of employment.

- **Implication of Protected Characteristics:** Political actions often intersect with, or become a proxy for, discussions regarding race, gender, religion, or sexual orientation. Allowing, or failing to regulate, such activity can inadvertently lead to claims of discrimination, harassment, or retaliation if other employees feel targeted.
- **Unfair Labor Practice Charges:** If employers discipline employees for disruptive civic action, they may face complex legal battles, including unfair labor practice charges, particularly if the action is deemed "concerted activity" under the National Labor Relations Act (NLRA).
- **Safety and Property Concerns:** Political activity, such as demonstrations or protests, can sometimes threaten workplace safety, damage products, or negatively affect the company's public image.

3. Misapplication of Constitutional Rights

- **First Amendment Limitations:** A major argument against such protection is that the First Amendment protects against *government* suppression of speech, not restrictions by private employers. Unless the government is the employer, workers do not have an absolute right to free speech in the workplace.



- Public vs. Private Sector: While public employees have some free speech rights, these are often restricted if the speech disrupts the effective operation of government services.

4. Risk to Neutrality and Reputation

- Brand Association: Even when “off duty”, it is quite common for protestors to be connected to their place of employment. That association can wrongly signal that the company supports that specific political cause, potentially damaging the company's brand, reputation, or relationships with clients.

The Carroll County Chamber of Commerce, a business advocacy organization of nearly 700 members, opposes this bill. We therefore request that you give this bill an unfavorable report.

Sincerely,

A handwritten signature in black ink that reads "Mike McMullin".

Mike McMullin
President
Carroll County Chamber of Commerce

CC: Delegate Chris Tomlinson
Senator Justin Ready