

safety and health protection on the job

MARYLAND OCCUPATIONAL SAFETY and HEALTH ACT

PUBLIC SECTOR

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Public Employers:

Each public employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

Public Employees:

Each public employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards.

Inspection:

The Act provides that the State Government and each of its political subdivisions or any agency thereof shall develop, conduct and maintain a program of self-inspection. This program is to be approved and monitored by the Commissioner of Labor and Industry.

The Act requires that a representative or representatives authorized by the employees be given an opportunity to participate in the inspection procedure.

Where there is no authorized employee representative, the inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint:

Public employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

A public employee who believes he or she has been discriminated against may file a complaint with the Commissioner within 30 days of the alleged discrimination.

Citation:

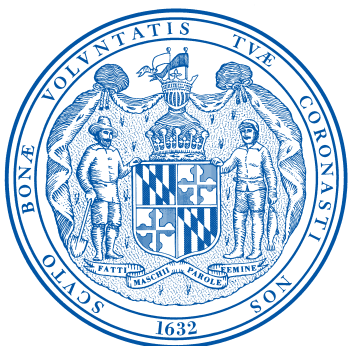
If upon an inspection performed by the Division of Labor and Industry, the Commissioner believes a public employer has violated the Act, a citation alleging such violations shall be issued to the public employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Voluntary Activity:

The Act encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors.



STATE OF MARYLAND

MARTIN O'MALLEY

Governor

ANTHONY G. BROWN

Lieutenant Governor

ALEXANDER M. SANCHEZ

Secretary of Labor, Licensing and Regulation

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

THE COMMISSIONER OF LABOR AND INDUSTRY

1100 North Eutaw Street

Baltimore, Maryland 21201

Phone: 410-767-SAFE

Complaints about the Public Employer Self-inspection Program may be made to the Commissioner of Labor and Industry at the above address.