

### Minimum Wage

Department of Labor, Division of Labor and Industry  
**Minimum Wage and Overtime Law**  
(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

**Minimum Wage Rates**

**Employers with 15 or more employees:**

**\$13.25**  
Effective 1/1/23

**\$15.00**  
Scheduled 1/1/24

**Employers with 14 or fewer employees:**

**\$12.80**  
Effective 1/1/23

**\$15.00**  
Scheduled 1/1/24

**Montgomery Co.**

Different minimum wage rates are in effect. Employers in this county are required to post the applicable rate information.

### Exemptions

**Minimum Wage and Overtime Exemptions:**

- Immediate family member of the employer
- Certain agricultural employees
- Executive, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salespersons
- Commissioned employees
- Employees enrolled as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises grossing less than \$400,000 annually
- Dive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

**Overtime Only Exemptions**  
(must earn the State Minimum Wage Rate):

- Tactical duties
- Certain employees providing services/performing automotive, farm equipment, trailers, or trucks
- Non-profit concert promoters, theater, music festival, music pavilion, or theatrical show
- Employees subject to certain cultural requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Seasonal amusement and recreational establishments that meet certain criteria

**FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:**

**MARYLAND DEPARTMENT OF LABOR**  
**DIVISION OF LABOR AND INDUSTRY—EMPLOYMENT STANDARDS SERVICE**  
**10946 GOLDEN WEST DRIVE, SUITE 160**  
**HUNT VALLEY, MD 21031**  
**TELEPHONE NUMBERS: (410) 767-2357**  
**FAX NUMBER (410) 333-7303**  
**E-MAIL: [ddilemploymentstandards-dli@maryland.gov](mailto:ddilemploymentstandards-dli@maryland.gov)**

**EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION CONSPICUOUSLY. THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL ADVISOR. PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.**

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employer is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

### Discrimination

State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in employment regardless of:

- Race
- Sex
- Marital Status
- Age
- Ethnicity
- Ancestry or National Origin
- Religion

**Physical or Mental Disability**

- Color
- Sexual Orientation
- Genetic Information

### How Does The Law Protect Me?

Employment Discrimination is Unlawful

**What If My Employer Retaliates?**

Retaliation is also prohibited under the law. If an employer decides to file an employment discrimination complaint, an employer may not:

- Deny the exercise or
- Deny the attempt to exercise the right.

After an employer is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

**What If I Am A Victim Of Discrimination?**

If you believe your rights under the law have been violated, you must file a complaint with MCCR 300 days of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. All procedures by MCCR are confidential until your case is certified for public hearing or trial.

**State of Maryland**  
**Commission on Civil Rights**  
**6 Saint Paul Street, Suite 900**  
**Baltimore, MD 21202-1631**  
**TELEPHONE: (410) 767-8600** Toll Free: (800) 637-6247 TTY: (410) 333-1737 Fax: (410) 333-1841  
[www.mccr.maryland.gov](http://www.mccr.maryland.gov)

# WORKERS' COMPENSATION

## LA COMPENSACIÓN DEL TRABAJADOR

**Job Related Accidental Personal Injury or Occupational Disease?**

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

**If you are injured on the job:**

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.
2. Tell the doctor who treats you that you were hurt on the job.
3. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

**Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.**

**Employer/Empleador**  
**Business Address/Dirección**  
**City/State/Zip**  
**Ciudad/Estado/Código Postal**  
**Federal Employer ID (FEIN)**  
**Identificación Federal del Empleador**  
**Telephone Number/Número Telefónico**  
**Insurance Company Name**  
**La Compañía de Seguro**  
**Insurance Company Telephone**  
**Telefónico de la Compañía de Seguro**  
**MD WCC Form C-24 05/2017**

### ¿Accidentes por lesión/daño corporal relacionados con el Empleo o Enfermedad Profesional?

Si usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarán 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

**Si usted sufre una lesión en el trabajo, debe:**

1. Informarlo a su empleador o supervisor de inmediato.
2. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.
3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitándolo a por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

**Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.**

### Equal Pay

Department of Labor  
**Equal Pay for Equal Work**  
(Labor and Employment Article Title 3, Subtitle 3)

**§3-301.** In this subtitle the following words have the meanings indicated.

(a)(1) "Employer" means:

- (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;
- (ii) the State and its units;
- (iii) a county and its units;
- (iv) a municipal government in the State.

(2) "Employee" includes a person who acts directly or indirectly in the interest of another employer with an employee.

(3) "Gender identity" has the meaning stated in § 5-3-101 of the State Government Article.

(4)(1) "Wage" means all compensation for employment.

(2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employee.

**§3-302.** This subtitle applies to an employer of both men and women in a lawful enterprise.

**§3-303.** In addition to any powers set forth elsewhere, the Commissioner may:

- (1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle;
- (2) supervise the payment of a wage owing to an employee to eliminate this practice.

**§3-304.** (a) In this section, "providing less favorable employment opportunities" means:

- (1) assigning or directing the employee into a less favorable career track, if career tracks are offered, or position;
- (2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer;
- (3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender identity.

(b)(1) An employer may not discriminate between employees in its occupation by:

- (i) paying a wage to employees of one sex or gender identity at a rate less than the rate paid to employees of another sex or gender identity if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type;
- (ii) providing less favorable employment opportunities based on sex or gender identity.

(2) For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as another employee if the employees work for the same employer or employers located in the same county of the State.

(3) Except as provided in subsection (b) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on:

- (i) a seniority system that does not discriminate on the basis of sex or gender identity;
- (ii) a merit increase system that does not discriminate on the basis of sex or gender identity;
- (iii) jobs that require different abilities or skills;
- (iv) jobs that require the regular performance of different tasks or services;
- (v) work that is performed on different shifts at different times of day;
- (vi) a system that measures performance based on a quality or quantity or production or other factor;
- (vii) a bona fide factor other than sex or gender identity, including education, training, or experience in which the factor:

  - (A) is not based on or derived from a gender-based differential in compensation;
  - (B) is job related with respect to the employee and consistent with business necessity;
  - (C) accounts for the entire differential.

(4) This section does not preclude an employer from demonstrating that an employer's reliance on an exception listed in subsection (3) of this section is a pretext for discrimination on the basis of sex or gender identity.

(5) If an employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

**§3-304-1.** (a) An employer may not:

- (1) prohibit an employee from:

  - (i) inquiring about, discussing or disclosing the wage of the employee or another employee;
  - (ii) requesting that the employer provide a reason for why the employee's wage is a condition of employment;

(2) require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss the employee's wages;

(3) take any adverse employment action against an employee for:

- (i) inquiring about the employee's wages or another employee's wages;
- (ii) disclosing the employee's wages;
- (iii) bringing another employee's wages to the attention of the employer;
- (iv) asking the employer to provide a reason for the employee's wages;
- (v) adding or encouraging another employee exercise of rights under this section.

(b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable workday limitations on the time, place, and manner for inquiries about the discussion or disclosure of employee wages.

(2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the Commissioner and all other State and federal laws.

(3) Subject to paragraph (2) of this section, limitations established under paragraph (1) of this subsection may include prohibiting an employee from discussing or disclosing the wages of another employee without that employee's prior permission.

(4) Except as provided in subsection (b) of this section, the failure of an employer to adhere to a reasonable limitation included in a written policy under subsection (1) of this section shall be an affirmative defense to a claim made against an employer by the employee under this section if the adverse employment action taken by the employer was for a failure to adhere to the reasonable limitation and not for an inquiry, a disclosure, or a discussion of wages in accordance with the limitation.

(5) A prohibition established in accordance with subsection (b)(1) of this section against the discussion or disclosure of the wages of another employee without that employee's prior permission may not apply to instances in which an employee who has access to the wage information of other employees as a part of the employer's essential job functions (i) the discussion or disclosure is in response to a complaint or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer;

(6) If an employer who has access to wage information as part of the essential functions of the employee's job discloses the employer's own wages or wage information about another employee obtained outside the performance of the essential functions of the employee's job, the employer shall be entitled to all the protections afforded under this subtitle.

(7) Nothing in this section shall be construed to:

- (i) require an employer to disclose the employee's wages;
- (ii) diminish employee's rights to negotiate the terms and conditions of employment under State, Federal, State, or local law;
- (iii) limit the rights of an employee provided under any other provision of law or collective bargaining agreement;
- (iv) create an obligation on any employer or employee to disclose wages;
- (v) permit an employer, without the written consent of an employee, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protection by law;
- (vi) permit an employer to disclose wage information to a competitor of the employer.

**§3-304-2.** (a) To request, an employer shall provide to an applicant for employment the wage range for the position for which the applicant applies.

(b)(1) An employer may not:

- (i) retaliate against or refuse to interview, hire, or employ an applicant for employment because the applicant:

  - 1. Did not provide wage history;
  - 2. Requested the wage range in accordance with this section for the position for which the applicant applies;

(ii) Except as provided in paragraph (2) of this subsection:

- 1. Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in determining the wages for the applicant;
- 2. Seek the wage history for an applicant for employment only, in writing, or through an employer or an agent of a current or former employer.

(2) After an employer makes an initial offer of employment with an offer of compensation to an applicant for employment, an employer may:

- (i) Subject to paragraph (3) of this subsection, rely on the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employer;

### Pregnancy Rights

**Pregnant & Working Know Your Rights!**

If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability and the accommodation does not pose an undue hardship on your employer. *State Government Article, §20-609(b)*

**What Does That Mean?**

If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. *Retaliation is prohibited under State Government Article, §20-609(b)* when exercising your right. If an employee seeks to exercise their right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may not:

- Change job duties
- Changing work hours
- Relocation
- Providing mechanical or electrical aids
- Transfers to less strenuous or less hazardous positions
- Providing leave

Every situation is different. You must explore every available option with your employer to decide what accommodation best suits your needs.

**Do I Need A Doctor's Note?**

It depends on what your employer requires. The law allows an employer, at his or her discretion, to require certification from your health care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. *State Government Article, §20-609(f)*

If required, the certification must include:

- Any form of information is given to the Maryland Commission on Civil Rights (MCCR).

### Unemployment Ins.

**YOUR EMPLOYER IS SUBJECT TO THE MARYLAND UNEMPLOYMENT INSURANCE LAW AND PAYS TAXES UNDER THIS LAW. NO DEDUCTION IS MADE FROM YOUR WAGES FOR THIS PURPOSE.**

**IF YOU ARE Laid OFF** or otherwise become unemployed, immediately file a claim by calling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

**IF YOU ARE UNEMPLOYED**, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

**IF YOU ARE EARNING LESS THAN FULL TIME**, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

**IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK**, you must report your gross wages before deductions through your return to return report regardless of whether or not you have been paid.

**YOU ARE ENTITLED TO BENEFITS IF:**

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your Base Period.
3. You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center listed below.
4. You are able to work, available for work, and actively seeking work.

**NOTE:** To ensure prompt handling of your claim, it is necessary to have your Social Security number available. If your claim depends on your sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security number, you will be provided with instructions on how to provide a copy of the dependent's birth certificates or other forms of proof of dependency.

**IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:**

Phone Number To File A Claim	Area Served
301-313-8000	Calvert
1-877-293-4125 (toll free)	Prince Georges
	St. Mary's
	Charles
	Montgomery
301-723-3000	Annapolis
1-877-293-4125 (toll free)	Frederick
410-334-6800	Caroline
1-877-293-4125 (toll free)	Dorchester
	Kent
	Queen Anne's

### Child Labor

Department of Labor, Division of Labor and Industry  
**Minor Fact Sheet**  
(Labor and Employment Article, Section 3-206, Annotated Code of Maryland)

**APPLYING FOR A WORK PERMIT**

Applications for work permits are accepted online at: [www.dli.state.md.us/childworkpermit](http://www.dli.state.md.us/childworkpermit). Steps:

- Minor or Parent/Guardian completes required information online and prints work permit
- TO BE VALID: The Minor, the Minor's Parent/Guardian, and the Employer must sign the permit

**Permissible Hours of Employment**

**All Minors:** May not be employed or permitted to work more than five hours continuously without a non-working period of at least 1 hour.

**Minors 14 - 15:**

- **\*Non-school hours:**

  - \*3 hours on any day when school is in session;
  - 8 hours on any day when school is not in session
  - \*18 hours in a school week;
  - 40 hours in any week when school is not in session;
  - \*May only work between the hours of 7:00am and 7:00pm.
  - \*May work until 9:00pm from June 1 until Labor Day.

- The hours worked by a minor enrolled in a bona fide work-study or student-teacher program when school is normally in session may not be counted toward the permissible hours of work prescribed above.

\*This is based upon a more restrictive Federal Law.

**Minors 16 - 17:**

- May work no more than 12 hours in a combination of school hours and work hours each day.
- Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period

**Special Permits**

Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry (address below) or online at: [www.labor.maryland.gov/labor/wages/empm-child](http://www.labor.maryland.gov/labor/wages/empm-child)

**Federal Restrictions**

Employers are generally subject to both state child labor laws and the federal child labor provisions of the Fair Labor Standards Act (FLSA), 29 U.S.C. 212(c), and the FLSA regulations at 29 CFR Part 570. Certain provisions of Maryland state law may be less restrictive than federal law, and employers covered by the FLSA that only follow a less restrictive provision of Maryland state law will be in violation of federal law. See 29 U.S.C. 218(a). For more information on federal child labor law, please visit the U.S. Department of Labor's Wage and Hour Division Website at [www.dol.gov/whd](http://www.dol.gov/whd).

**FOR MORE INFORMATION CONTACT:**  
**MARYLAND DEPARTMENT OF LABOR**  
**DIVISION OF LABOR AND INDUSTRY - EMPLOYMENT STANDARDS SERVICE**  
**10946 GOLDEN WEST DRIVE, SUITE 160 - HUNT VALLEY, MD 21031**  
**TELEPHONE NUMBERS: (410) 767-2357 - FAX NUMBER: (410) 333-7303**  
**E-MAIL: [ddilemploymentstandards-dli@maryland.gov](mailto:ddilemploymentstandards-dli@maryland.gov)**

**OCCUPATIONS FORBIDDEN TO ALL MINORS:** Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to the following:

<ul style="list-style-type: none"><li>• Occupations in or about plants or establishments manufacturing or storing explosives</li><li>• or articles containing explosive compound</li><li>• Occupations of motor-vehicle driver and outside helper.</li><li>• Coal-mine occupations.</li><li>• Logging occupations and occupations in the operation of any sawmill, lathe mill, shingle mill, or coaragee-saw mill.</li><li>• Occupations involved in the operation of power-driven woodworking machines.</li><li>• Occupations involving exposure to radioactive substances and to ionizing radiations.</li><li>• Occupations involved in the operation of elevators and other power-driven hoisting apparatus.</li><li>• Occupations involved in the operation of power-driven metal forming, punching, and shearing machines.</li></ul>	<ul style="list-style-type: none"><li>• Occupations in connection with mining, other than coal.</li><li>• Occupations involving slaughtering, meat packing or processing, or rendering.</li><li>• Occupations involved in the operation of certain power-driven laundry machines.</li><li>• Occupations involved in the operation of certain power-driven paper products machines.</li><li>• Occupations involved in the manufacture of brick, tile, and kindred products.</li><li>• Occupations involved in the operation of circular saws, band saws, and guillotine shears.</li><li>• Occupations involved in wrecking, demolition, and shipbreaking operations.</li><li>• Occupations involved in roofing operations.</li><li>• Occupations involved in excavation operations.</li></ul>
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In addition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and Industry, the following occupations are forbidden to all minors:

<ul style="list-style-type: none"><li>• Blast furnaces.</li><li>• Docks or wharves, other than marinas where pleasure boats are sold or served.</li><li>• Pits, trenches, or engineers on any vessel or boat engaged in commerce.</li><li>• Erection and repair of electrical wires.</li><li>• Any distillery where alcoholic beverages are manufactured, bottled, wrapped, or packed.</li></ul>	<ul style="list-style-type: none"><li>• The manufacturing of dangerous or toxic chemicals or compounds.</li><li>• Cleaning, oiling, or wiping of machinery.</li><li>• Any occupation forbidden by any local, state, or federal law.</li><li>• Railroads.</li><li>• Any occupation which after investigation by the Commissioner is deemed injurious to the health and welfare of the minor.</li></ul>
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A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over \$100.00 between 8 a.m. and 8 p.m., unless that minor is the child of the owner or operator, or the funds have been received in payment of goods or services delivered by the minor.

**AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE**

- (1) Manufacturing, mechanical, or processing occupations including other than office machines.
- (2) Operation, cleaning, or adjusting of any power-driven machinery other than office machines.
- (3) Occupations in, about, or in connection with (except those not performed on site):
  - scaffolding
  - bridging
  - acids
  - construction
  - dyes
  - railroads
  - hoisting apparatus
- (4) Occupations causing dust or gases in -
  - injurious quantities
  - boats engaged in navigation or commerce
  - certain poultry activities
  - certain baking and cooking

any occupation deemed injurious by the Commissioner after investigation, transportation of persons or property

### Health Insurance

You and other members of your family may be eligible under Maryland law to continue to be covered by your former employer's health insurance policy if:

- You quit your job or you were terminated from your employment for a reason other than for cause; and
- You are covered by your employer under a group hospital-medical policy or a health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and
- You do not have other similar insurance.

If you wish to continue your health insurance, you MUST give your employer written notice no later than forty-five (45) days after your last day of work.

PUB/DUI 6116

### TO BE POSTED

**HEALTH INSURANCE COVERAGE**

**IMPORTANT:** You will be responsible for paying the entire cost of the health insurance policy. For further information about the program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore at (410) 868-2244 or 1-800-492-6116 (Ext. 224).

**State of Maryland**  
**MARYLAND DEPARTMENT OF LABOR**

**THIS NOTICE APPLIES TO STATE LAW. YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW.**

**TO BE POSTED**

### Sick and Safe Leave

The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

**EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE**

A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the legal guardian or ward of the employee or the employee's spouse; or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Employees are required to provide employees with a written statement of the employee's available earned sick and safe leave.

**Prohibitions**

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employer is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith.

**How to File a Complaint or Obtain Additional Information**

If you feel your rights have been violated under this law or you would like additional information, you may contact:

**COMMISSIONER OF LABOR AND INDUSTRY**  
**10946 GOLDEN WEST DRIVE, SUITE 160 - HUNT VALLEY, MD 21031**  
[www.dli.state.md.us/healthandleave](http://www.dli.state.md.us/healthandleave)

**REV. 02/2022**

### Department of Labor, Licensing and Regulation

## Safety and health protection on the job

**Maryland Occupational Safety and Health Act - Private 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:

**Employers:** Each 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.

**Employees:** Each 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.

**Inspection:** The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

**Complaint:** The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

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

**Proposed Penalty:** 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.

**Citation:** If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the 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.

The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to \$70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

While providing penalties for violations, the Act also 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. There are many public and private organizations that can provide information and assistance in this effort, if requested.

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

**MOSH TRAINING AND EDUCATION**  
**10946 GOLDEN WEST DRIVE, SUITE 160**  
**HUNT VALLEY, MARYLAND 21031**  
**PHONE: 410-527-2091**

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