◒ MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT *(FIELD SANITATION)*

STATUTORY CITATION: Md. Code, Lab. & Empl. §§ 5-101 – 5-1103

RELATED REGULATIONS: Md. Code Regs. 09.12.36

GENERAL SUMMARY: The Maryland Occupational Safety and Health Act authorizes the development and implementation of specific safety and health standards for the prevention of conditions detrimental to the well-being of the workers in any occupation or workplace found to require such protection.

PROVISIONS APPLICABLE TO AGRICULTURE: The state labor commissioner has adopted standards requiring agricultural employers to provide field workers with drinking water, toilets, and handwashing facilities at the place of employment. Maryland's field sanitation standards are very similar to those established by the U.S. Occupational Safety and Health Administration *(see entry, U.S. — Health & Safety — Agricultural Field Sanitation)*, but, among other differences, the Maryland regulations permit the normal ratio of one toilet facility for every 20 workers to be reduced to one for every 30 when toilets are serviced frequently.

Also, while federal standards do not require employers to provide drinking water, toilets or handwashing facilities where fewer than 11 workers are employed on any given day, all farm employers in Maryland must furnish drinking water to their workers, regardless of the number of employees; the toilet and handwashing requirements, however, apply only to operations with 11 or more workers.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Maryland Occupational Safety and Health Unit, Division of Labor and Industry, Maryland Department of Labor, Licensing and Regulation, Hunt Valley, Maryland 21031 (410-527-4499).* Any violation of the Act or the corresponding rules is grounds for assessment of an administrative fine by the Division. Violators are also subject to criminal penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*