

● **MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT**

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

GENERAL SUMMARY: The Maryland Occupational Safety and Health Act imposes a general duty on virtually every non-federal employer in the state to furnish employees with a safe and healthful job and workplace, free from recognized hazards which could cause death or serious injury to the workers. The 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: Using the statutory authority referred to above, the state labor commissioner has adopted workplace safety standards covering roll-over protections on tractors and safety measures on other agricultural equipment. Maryland's agricultural safety regulations are identical to those established by the U.S. Occupational Safety and Health Administration (*see entry, U.S. — Health & Safety — Workplace Safety*) and apply to all agricultural employers in the state.

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)*. In enforcing compliance with these provisions, representatives of the Division have authority to enter any place of employment in the state, at reasonable times, to inspect the workplace and associated equipment and materials, and to question the employer and employees. If, upon inspection or investigation, the Division believes an employer has violated the general duty created by the Act, or any standard or regulation adopted under the Act's authority, the Division must promptly issue a citation to the employer, fixing a reasonable time for correction of the violation. Failure to respond in good faith to a citation may lead to a formal order against the employer, enforceable in court. Any violation of the Act or the corresponding rules is grounds for assessment of an administrative fine by the Division, and violators are also subject to criminal penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*