Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination Employees (current and former), including managers and temporary employees lawsuit, investigation, or proceeding Interference, coercion, or threats related to exercising Job applicants Union members and applicants for membership in a union rights regarding disability discrimination or pregnancy What Organizations are Covered? What Employment Practices can be Challenged as Most private employers • State and local governments (as employers) **riminatory?** All aspects of employment, including: Educational institutions (as employers) Discharge, firing, or lay-off · Harassment (including unwelcome verbal or Staffing agencies Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the Pay (unequal wages or compensation) Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical

condition; or a sincerely-held religious belief, National origin • Sex (including pregnancy, childbirth, and related medical Classification conditions, sexual orientation, or gender identity) Age (40 and older) Referral

 Obtaining or disclosing genetic information · Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic Requesting or disclosing medical information services, or family medical history)

 Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone rights, regarding disability discrimination (including accommodation) or pregnancy accommodation
What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict tim imits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways: **Submit** an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.aspx Call 1-800-669-4000 (toll free)

regardless of:

Identity, Genetic Information

Maryland

\$15.00

Montgomery Co.

Different minimum

wage rates are in

effect. Employers

in this county are

required to post

the applicable rate

information.

If you can answer "YES"...

may need to file a new form W-4.

Maryland

following employment-related practices:

1-800-669-6820 (TTY) 1–800–009–0020 (117) 1–844–234–5122 (ASL video phone) an EEOC field office (information at www.eeoc.gov/field-office) Visit an EEOC field office (information at E-Mail info@eeoc.gov Additional information about the EEOC. including information about filing a charge of discrimination, is available at www.eeoc.gov

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are an employee of a company with a Federal contract or subcontract, you are protected veterans, recently separated veterans (i.e., within three years of discharge or release under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, amended, prohibits employment discrimination by Federal contractors based on race, amended, prohibits employment discrimination by Federal contractors based on race, amended, prohibits employment discrimination by Federal contractors based on race, amended, prohibits employment discrimination by Federal contractors based on race, amended, prohibits employment discrimination by Federal contractors based on race, amended to the contractors based on color, religion, sex, sexual orientation, gender identity, or national origin, and requires discrimination by Federal contractors under these Federal laws. Any person who believes offirmative action to ensure equality of opportunity in all aspects of employment.

Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, orotects applicants and employees of Federal contractors from discrimination based on The Office of Federal Contract Compliance Programming Transfer of Federal Contrac The Office of Federal Contract Compliance Programs (OFCCP) inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, U.S. Department of Labor

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not lf you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with at https://www.dol.gov/agencies/ofccp/contact

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1973, as amended, prohibits employment discrimination on the which receive rederal financial assistance. **Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the light formulation and provided in the control of prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal

WORKERS' COMPENSATION

WORKERS' COMPENSATION in MARYLAND MARYLAND LA COMPENSACIÓN DEL TRABAJADOR en

<u> Job Related Accidental Personal Injury or Occupational Disease?</u>

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).

<u>If you are injured on the job:</u>

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

Federal Employer ID (FEIN)

Indentificación Federal Del Empleador

Insurance Company Name

Si usted se encuentra incapacitado o inhabilitado para trabajar por mas de tres días, el seguro de También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

su empleador fuere notificado que sufrió una lesión.

Workers' Compensation o solicitando uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

acarrearle multas, encarcelamiento o ambas. **Maryland Workers' Compensation Commission**

10 East Baltimore Street Baltimore, Maryland 21202-1641 (410) 864-5100 **Outside Baltimore (800) 492-0479** Webpage http://www.wcc.state.md.us TTY Users-711 in Maryland or (800) 735-2258

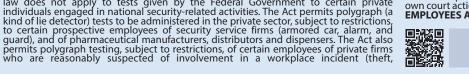
location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment. PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.





EQUAL PAY FOR EQUAL WORK Maryland Equal Pay for Equal Work

(a) In this subtitle the following words have the meanings (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

Maryland

(ii) the State and its units; (iii) a county and its units: and (iv) a municipal government in the State. (2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee. (c) "Gender identity" has the meaning stated in § 20–101 of the State Government Article. (d)(1) "Wage" means all compensation for employment.

(2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the §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 (1) use informal methods of conference, conciliation. and persuasion to eliminate pay practices that are unlawful under this subtitle; and

(a) In this section, "providing less favorable employment opportunities" means: assigning or directing the employee into a less favorable career track, if career tracks are offered, or (2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or

(2) supervise the payment of a wage owing to an

employee under this subtitle.

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

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 §3–304.2 (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 i the employees work for the same employer a workplaces located in the same county of the State. (c) Except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on:

(1) a seniority system that does not discriminate on the basis of sex or gender identity; (2) a merit increase system that does not discriminate on the basis of sex or gender identity; 3) jobs that require different abilities or skills; (4) jobs that require the regular performance of different duties or services; (5) work that is performed on different shifts or at different times of day: (6) a system that measures performance based on a ality or quantity of production; or

(7) a bona fide factor other than sex or gender identity, including education, training, or experience, in (i) is not based on or derived from a gender–based differential in compensation; (ii) is job related with respect to the position and consistent with a business necessity; and (iii) accounts for the entire differential. (d) This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gender

(e) An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with (C) This section may not be construed to prohibit an this subtitle. (a) An employer may not

(1) prohibit an employee from: (i) inquiring about, discussing, or disclosing the wages

of the employee or another employee; or (ii) requesting that the employer provide a reason for why the employee's wages are a condition of (2) require an employee to sign a waiver or any other document that purports to deny the employee the employee for employee's wages;

ight to disclose or discuss the employee's wages; or (3) take any adverse employment action against an (i) inquiring about the employee's wages or another ii) disclosing the employee's own wages; (iii) discussing another employee's wages if those wages have been disclosed voluntarily: (iv) asking the employer to provide a reason for the (v) aiding or encouraging another employee's 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 §3–306.1. on the time, place, and manner for inquiries about or 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 subsection (d) of this section, limitations established under paragraph (1) of this subsection may include prohibiting an employee from

(Labor and Employment Article Title 3, Subtitle 3) (c) Except as provided in subsection (d) of this section, the failure of an employee to adhere to a reasonable imitation included in a written policy under subsection

taken by the employer was for a failure to adhere to the reasonable limitation and not for an inquiry, a discussion, or a disclosure of wages in accordance with (d) (1) A prohibition established in accordance with subsection (b)(3) 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 employee's essential job functions if 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. (2) If an employee who has access to wage information as part of the essential functions of the employee's job discloses the employee's own wages or wage outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle.

(e) Nothing in this section shall be construed to: 1) require an employee to disclose the employee's (2) diminish employees' rights to negotiate the terms and conditions of employment under federal, State, (3) limit the rights of an employee provided under any other provision of law or collective bargaining

(4) create an obligation on any employer or employee to disclose wages; 5) permit an employee, without the written consent of an employer, to disclose proprietary information. trade secret information, or information that is otherwise subject to a legal privilege or protected by law: or

(6) permit an employee to disclose wage information to a competitor of the employer the same operation, in the same business, or of the (A) On request, an employer shall provide to an applicant for employment the wage range for the position for which the applicant applied

(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; or

2. Requested the wage range in accordance with this section for the position for which the applicant (II) Except a 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; or the wage history for an applicant for

employment orally, in writing, or through an employee or an agent or from a current or former (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 pplicant for employment to support a wage offer higher than the initial wage offered by the

employer: or (II) Seek to confirm the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employe age does not create an unlawful pay differential

(3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher based on protected characteristics under §3-304 of this subtitle. applicant for employment from sharing wage history with an employer voluntarily.

(a) (1) Each employer shall keep each record that the (E) (1) If the Commissioner determines that an employer has Commissioner requires on: (i) wages of employees (ii) i ob classifications of employees; and (iii) other conditions of employment. (2) An employer shall keep the records required under

this subsection for the period of time that the Commissioner requires. (b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires.

(a) On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the (b) Each émployer shall keep posted conspicuously in each place of employment a copy of this subtitle. (c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this subtitle. (a) Whenever the Commissioner determines that this

subtitle has been violated, the Commissioner shall: (1) try to resolve any issue involved in the violation informally by mediation; or (2) ask the Attorney General to bring an action on behalf of the applicant or employee. (b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief discussing or disclosing the wages of another §3-307. employee without that employee's prior permission. (a)(1) If an employer knew or reasonably should have

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows

City/State/Zip

Ciudad/Estado/Código Postal

Telephone Number/Número Telefónico

La Compañía de Seguro **Insurance Company Telephone** Telefónico de la Compañía de Seguro MD WCC Form C-24 05/2017

¿Accidentes por lesión/dono corporal relacionados con el Empleo o Enfermedad Profesional? trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados.

<u>Si usted sufre una lesión en el trabajo, debe:</u> 1. Informarle a su empleador o supervisor de inmediato. No podría recibir todas sus beneficios a menos que

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 pagina del Internet para el

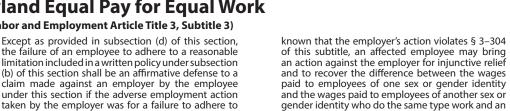
Aviso: El suminitrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera

This notice must be printed on 8.5" X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous

embezzlement, etc.) that resulted in economic loss to the employer. The law does not **EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, and the control proposed car alarm, and

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243





known that the employer's action violates § 3-304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages. (3) An employee may bring an action on behalf of the employee and other employees similarly affected. (b) On the written request of an employee who is entitled to bring an action under this section, the

additional equal amount as liquidated damages.

(2) If an employer knew or reasonably should have

(1) take an assignment of the claim in trust for the (2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and (3) consolidate 2 or more claims against an employe (c) An action under this section shall be filed within 3

years after the employee receives from the employer the wages paid on the termination of employment under § 3–505(a) of this title. (d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section. (e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well prejudgment interest in accordance with the Maryland Rules.

(1) willfully violate any provision of this subtitle; (2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle: (3) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized under this subtitle to inspect; (4) discharge or otherwise discriminate against ar employee or applicant for employment because the employee or applicant for employment: Commissioner, or another person: (ii) brings an action under this subtitle or a proceeding

that relates to the subject of this subtitle or causes

the action or proceeding to be brought; or

(iii) has testified or will testify in an action under this

subtitle or a proceeding that relates to the subject of this subtitle: or (5) Violate §3-304.2 of this subtitle. o) An employee or an applicant for employment may not (1) make a groundless or malicious complaint to the Commissioner or an authorized representative o (2) in bad faith, bring an action under this subtitle: (3) in bad faith, bring a proceeding that relates to the ubject of this subtitle; or (4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle. ssioner may bring an action for injunctive

relief and damages against a person who violates subsection (a)(1), (4), or subsection (b)(1), (3), or (4) of (d) (1) Except as provided in paragraph (2) of this subsection, an employer who violates any provision of subsection (a)(2) or (3) of this section is quilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300. (2) (i) This paragraph does not apply to a violation of (ii) If an employer is found to have violated this subtitle two or more times within a 3-year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the amount of ages owed by the employer.

(iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of enforcing this subtitle. violated §3-304.2 of this subtitle, the Commissioner: (I) shall issue an order compelling compliance; and (II) may, in the Commissioner's discretion, 1. for a first violation, issue a letter to the employer npelling compliance; 2. for a second violation, assess a civil penalty of up to \$300 for each applicant for employment for whom the employer is not in compliance; or 3. for each subsequent violation, assess a civil penalty of up to \$600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had occurred. (2) In determining the amount of the penalty, if assessed the Commissioner shall consider:

(I) the gravity of the violation'

(II) the size of the employer's business

(III) the employer's good faith; and

be subject to the notice and hearing require of Title 10, Subtitle 2 of the State Government Article For additional information or to file a complaint. please contact: FOR MORE INFORMATION CONTACT: Department of Labor **Division of Labor and Industry Employment Standards Service** 10946 Golden West Drive, Suite 160 - Hunt Valley, MD 21031 Phone: 410-767-2357

(IV) the employer's history of violations under this

paragraph (1)(II) of this subsection, the penalty shall

(3) If the Commissioner assesses a penalty unde

DISCRIMINATION NOTICE

Employment Discrimination is Unlawful How Does The Law Protect Me? State Government Article, \$20-602 of the Annotated What If My Employer Retaliates? Retaliation is also prohibited under the law when Code of Maryland provides every Marylander equal protection in employment you exercise your rights to seek relief and redress. If an employee decides to file an employment discrimination complaint, an employer may not:

Race, Sex, Age, Ethnicity, Ancestry or National Origin, Religion, Physical or •Interfere with; Mental Disability, Color, Marital Status, Military Status, Sexual Orientation, Gender • Restrain; What Am I Protected From? You are protected from unlawful discrimination from the • Deny the attempt to exercise the right. Any form of retaliation is grounds to file a Complaint of Discrimination with the Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/ Maryland Commission on Civil Rights (MCCR). What If I Am A Victim Of Discrimination? If you believe your rights under the law have promoting, setting work conditions, and discharging an employee. · Labor organizations cannot deny membership to qualified persons or discriminate in been violated, you must file a complaint with MCCR 300 days of the alleged act of

Employment agencies cannot discriminate in job referrals, ask discriminatory pre- happened and determine if there is reason to believe a discriminatory violation employment questions, or circulate information that unlawfully limits employment. 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. Newspapers and other media cannot publish job advertisements that discriminate. State of Maryland Commission on Civil Rights 6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631 Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 | mccr@maryland.gov | www.mccr.maryland.gov

> MARYLAND MINIMUM WAGE AND OVERTIME LAW Maryland Minimum Wage and Overtime Law (Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Most employees must be paid the Maryland State Minimum Wage Rate. Tipped Employees (earning more than \$30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least \$3.63 Wage Rates per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employees effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website. **Employees under 18 years of age** must earn at least 85% of the State Minimum Wage Rate Most employees must be paid 1.5 times their usual hourly rate for all work over 40 hrs. per week. Exceptions:

> Agricultural workers for all work over 60 hrs. per week **Minimum Wage and Overtime Exemptions:** Immediate family member of the employe Certain agricultural employees • Executives, 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

• Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood **Overtime Only Exemption** (must earn the State Minimum Wage Rate): Taxicab drivers Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission Seasonal amusement and recreational establishments that • Certain establishments selling food and drink for consumption meet certain criteria on the premises grossing less than \$400,000 annually

discrimination. A trained Civil Rights Officer will work with you to discuss what

Maryland Department of Labor, Division of Labor and Industry—Employment Standards Service
10946 Golden West Drive, Suite 160 Hunt Valley, MD 21031 • Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 E-mail: <u>dldliemploymentstandards-dllr@maryland.gov</u> 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.

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

NOTICE TO TIPPED EMPLOYEES

NOTICE TO TIPPED EMPLOYEES Under Maryland law, a tipped employee is an employee who customarily and regularly wages to cover the cost of a customer's charge for food or beverage if the customer leaves received more than \$30 each month in tips or gratuities. Maryland law prohibits an the employer's place of business without paying the charge for food or beverages. If you employer from requiring a tipped employee to reimburse an employer or pay an employer think you have been required to make an improper payment or there has been an improper for the amount of a customer's charge for food or beverage if the customer leaves the deduction from your wages related to a customer's charges if the customer leaves the employer's place of business without paying for the charges. In addition, unless otherwise place of business without paying the charges, you may contact the Commissioner of Labor provided by law, and employer is prohibited from making a deduction to an employee's and Industry at:

PURSUANT TO §3-713 (C) OF THE LABOR AND EMPLOYMENT ARTICLE Department of Labor Division of Labor and Industry Employment Standards Service OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED 10946 Golden West Dive, Suite 160, Hunt Valley, MD 21031 Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 Rev. 2/2022 E-mail: <u>dldliemploymentstandards-dllr@maryland.gov</u>

PAYDAY NOTICE Regular Paydays for Employees of Shall be as follows Other

WITHHOLDING STATUS YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed form W-4 with your employer did you... For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Marry or divorce? · Gain or lose a dependent? Withholding Calculator at www.irs.gov/individuals on the IRS web site. · Change your name? Employer: Please post or publish this Bulletin Board Poster so that your employees Were there major changes to... will see it. Please indicate where they can get forms and information on this subject. Your nonwage income (interest, dividends, capital gains, etc.)? **Publication 213** • Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? (Rev. 8-2009)

To any of these questions or you owed extra tax when you filed your last return, you Department of the Treasury **Internal Revenue Service www.irs.gov**

See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676. **UNEMPLOYMENT INSURANCE**

TO EMPLOYEES YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays YOU ARE ENTITLED TO BENEFITS IF taxes under this law. No deduction is made from your wages for this purpose 1. You are unemployed through no fault of your own IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by
2. You have sufficient earnings in your Base Period. callling the telephone number for the area in which you reside or you may file a claim 3. You have registered for work and filed a claim for benefits with a Maryland on the internet at the web site address indicated below. Department of Labor claim center listed below.

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for 4. You are able to work, available for work, and actively seeking work. as many as 26 weeks. NOTE: To ensure prompt handling of your claim, it is necessary to have your Social IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial Security number available. If you claim dependents under sixteen (16) years of benefits. If your regular hours of work have been reduced, promptly file a claim as age, you must know the Social Security number of each dependent when you instructed above, to determine your benefit rights. file. If you do not know the Social Security numbers, you will be provided with IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report instructions on how to provide a copy of the dependents' birth certificates of your gross wages before deductions during the week you return to work regardless other forms of proof of dependency. of whether or not you have been paid.

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL: Phone Number To File A Claim Area Served Phone Number To File A Claim Area Served Phone Number To File A Claim Area Served 410-853-1600 Anne Arundel 1-877-293-4125 1-877-293-4125 Dorchester 1-877-293-4125 **Baltimore City** Montgomery Baltimore County Prince George Queen Anne's St. Mary's Allegany Frederick Talbot Harford Wicomico 1-877-293-4125 Garrett SOLICITUD DE BENEFICIOS DEL INSIDE THE STATE OF MARYLAND **OUTSIDE THE STATE OF MARYLAND** DESEMPLEO PARA LA POBLACIÓN (DENTRO DEL ESTADO DE MARYLAND) (FUERA DEL ESTADO DE MARYLAND) DE HABLE HISPANA Maryland Relay Dial 711 TTY: 1-800-735-2258 TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 711 ó Para Relevos en Maryland presione 1-800-877-1264 (U.S.) 1-800-877-1264 (U.S.)

TO FILE A CLAIM VIA THE INTERNET: www.mdunemployment.com **IMPORTANT NOTICE** Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits

through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution. The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201. MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE DLLR/DUI 328 (Revised 3-20) Maryland Department of Labor - Employment Article, Title 8, Sec. 8-603

HEALTH INSURANCE COVERAGE

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 • 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

PREGNANT & WORKING

Changing job duties

Changing work hours

Providing mechanical or electrical aids

Do I Need A Doctor's Note?

Transfers to less strenuous or less hazardous positions

to decide what accommodation best suits your needs.

Relocation

Providing leave

readily see it.

impose an undue hardship on your employer. State Government Article, §20-609(b)

TO BE POSTED HEALTH INSURANCE COVERAGE You and other members of your family may be eligible under Maryland law to 🔝 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. **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) 468-2244 or 1-800-492-6116 (Ext. 2244) State of Maryland - Maryland Department of Labor THIS NOTICE APPLIES TO STATE LAW. YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW. TO BE POSTED

NO SMOKING

NO SMOKING OR VAPING

NO VAPING

ACCOMMODATION FOR PREGNANCY DISABILITIES

6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631 State Government Article, §20-609(f) If you are pregnant, you have a legal right to a reasonable accommodation if your If required, the certification must include: pregnancy causes or contributes to a disability and the accommodation does not • Date a reasonable accommodation is medically advisable. • Probable duration of the accommodation should be provided. • Explanation as to the medical advisability of the reasonable accommodation

State of Maryland Commission on Civil Rights

If you have a disability that is contributed to or caused by pregnancy, you may request Can I Still Get In Trouble: a reasonable accommodation at work. Your employer must explore "all possible means

Retaliation is prohibited under State Government Article, \$20-609(h) when exercising of providing the reasonable accommodation." State Government Article, §20-609(d). The your rights. If an employee seeks to exercise her right to request a reasonable law lists an assortment of options for both you and your employer to consider in order accommodation for a temporary disability due to pregnancy, an employer may not: to comply with a request for reasonable accommodation. These include, but are not Interfere with: Restrain: • Deny the exercise: or

• Deny the attempt to exercise the right. Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR). What If I Am A Victim Of Discrimination? Every situation is different. You must explore every available option with your employer If you believe your rights under the law have been violated, you must file a complaint with MCCR within 6 months of the alleged act of discrimination. A trained Civil Rights Office will work with you to discuss what happened and determine if there is reason to believe

or her discretion, to require certification from your health care provider walk-in. All procedures by MCCR are confidential until your case is certified for public regarding the medical advisability of a reasonable accommodation, but only hearing or trial. to the same extent certification is required for other temporary disabilities Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 | mccr@maryland.gov | www.mccr.maryland.gov

It depends on what your employer requests. The law allows an employer, at his a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of

service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and

applicants to the uniformed services. REEMPLOYMENT RIGHTS You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: · you ensure that your employer receives advance written or verbal notice of you have five years or less of cumulative service in the uniformed services while with that particular employer you return to work or apply for reemployment in a timely manner after conclusion of service; and

service; then an employer may not deny you: • initial employment; • reemployment;

retention in employment;
 promotion; or
 any benefit of employment, because of

In addition, an employer may not retaliate against anyone assisting in the

enforcement of USERRA rights, including testifying or making a statement in

you have not been separated from service with a disqualifying discharge or under other than honorable conditions. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some authorized to investigate and resolve complaints of USERRA violations. cases, a comparable job. IGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION If you: • are a past or present member of the uniformed service; • have applied for membership in the uniformed service; or • are obligated to serve in the uniformed

connection with a proceeding under USERRA, even if that person has no service connection. HEALTH INSURANCE PROTECTION • If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. • The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is

 For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www. dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

FEDERAL MINIMUM WAGE

The law requires employers to display this poster where employees can may also be assessed for violations of the FLSA's child labor provisions. Heightened

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of proceeding under the FLSA. Labor. Youths 14 and 15 years old may work outside school hours in various non- ADDITIONAL INFORMATION manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. • Certain occupations and establishments are exempt from the minimum wage, Different rules apply in agricultural employment. TIP CREDIT Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay • Special provisions apply to workers in American Samoa, the Commonwealth of tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit the Northern Mariana Islands, and the Commonwealth of Puerto Rico. against their minimum wage obligation. If an employee's tips combined with the • Some state laws provide greater employee protections; employers must comply

employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly

PUMP AT WORK The FLSA requires employers to provide reasonable break time for

wage, the employer must make up the difference.

a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee **ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation

of the minimum wage or overtime pay provisions of the law. Civil money penalties

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits CHILD LABOR An employee must be at least 16 years old to work in most non-farm retaliating against or discharging workers who file a complaint or participate in any and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.

Some employers incorrectly classify workers as "independent contractors" when

they are actually employees under the FLSA. It is important to know the

difference between the two because employees (unless exempt) are entitled to

1-866-487-9243

www.dol.gov/agencies/wh

civil money penalties may be assessed for each child labor violation that results in the

the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor. WAGE AND HOUR DIVISION **WH**₩ UNITED STATES DEPARTMENT OF LABOR

FMLA - FAMILY AND MEDICAL LEAVE ACT

• The birth, adoption or foster placement of a child with you,

leave in a single 12-month period to care for the servicemember.

You have worked for your employer at least 12 months.

You work for a **covered employer** if **one** of the following applies

20 workweeks in the current or previous calendar year,

Follow your employer's normal policies for requesting leave,

Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible.

parent who is a military servicemember

Fact Sheet #28M(c) for more information

reason for which you need FMLA leave.

You work for a covered employer,

Personnel Management.

Maryland

certain employees.

leave at any time.

Cat. No. 11047P

· For maternity or paternity leave; or

Your serious mental or physical health condition that makes you unable to work,

Your employer has at least 50 employees within 75 miles of your work location.

You work for a private employer that had at least 50 employees during at least

federal employees are covered by Title II of the FMLA, administered by the Office of

services from a victim services organization; (3) for legal services or proceedings; or (4)

Airline flight crew employees have different "hours of service" requirements.

You work for an elementary or public or private secondary school, or

Your Employee Rights Under the Family and Medical Leave Act What is FMLA leave? The Family and Medical Leave Act (FMLA) is a federal law that You do not have to share a medical diagnosis but must provide enough information provides eligible employees with **job-protected leave** for qualifying family and medical to your employer so they can determine whether the leave qualifies for FMLA protection. reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the You must also inform your employer if FMLA leave was previously taken or approved FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA for the same reason when requesting additional leave.

Your **employer** may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency. The FMLA does not affect any federal or state law prohibiting discrimination or supersede To care for your spouse, child or parent with a serious mental or physical health any state or local law or collective bargaining agreement that provides greater family or medical leave rights. Certain qualifying reasons related to the foreign deployment of your spouse, child or State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain n eligible employee who is the spouse, child, parent or next of kin of a covered congressional employees are also covered by the law but are subject to the jurisdiction

servicemember with a serious injury or illness may take up to 26 workweeks of FMLA of the U.S. Office of Personnel Management or Congress. What does my employer need to do? If you are eligible for FMLA leave, your You have the right to use FMLA leave in **one block of time.** When it is medically employer must: necessary or otherwise permitted, you may take FMLA leave **intermittently in separate** Allow you to take job-protected time off work for a qualifying reason, **blocks of time, or on a reduced schedule** by working less hours each day or week. Read

Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to Allow you to return to the same job, or a virtually identical job with the same pay. use any employer-provided paid leave if your employer's paid leave policy covers the benefits and other working conditions, including shift and location, at the end of Am I eligible to take FMLA leave? You are an eligible employee if all of the following Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation. After becoming aware that your need for leave is for a reason that may qualify under You have at least 1,250 hours of service for your employer during the 12 months before the FMLA, your **employer must confirm whether you are eligible** or not eligible for

FMLA leave. If your employer determines that you are eligible, your employer must About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLA-protected leave. Where can I find more information **SCAN ME** Call 1-866-487-9243 or visit dol.gov/fmla to learn more If you believe your rights under You work for a public agency, such as a local, state or federal government agency. Most the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit agains

WAGE AND HOUR DIVISION

ow do I request FMLA leave? Generally, to request FMLA leave you must: Scan the OR code to learn about our WHD complaint process UNITED STATES DEPARTMENT OF LABOR WH1420 REV 04/23 EARNED SICK AND SAFE LEAVE

MARYLAND EARNED SICK AND SAFE LEAVE

EMPLOYEE NOTICE The Maryland Healthy Working Families Act requires employers with 15 or more A family member includes a spouse, child, parent, grandparent, grandpar employees to provide paid sick and safe leave for certain employees. It also requires that legal guardian or ward of the employee or the employee's spouse, or an individual who employers who employ 14 or fewer employees provide unpaid sick and safe leave for 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 Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which need to use earned sick and safe leave when it is foreseeable. An employer may deny an employee begins employment with the employer, whichever is later. An employee

leave in certain circumstances. accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of Employers are required to provide employees with a written statement of the employee's earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe available earned sick and safe leave. An employee is allowed to use earned sick and safe leave under the following conditions: 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 employee To care for or treat the employee's mental or physical illness, injury, or condition; • To obtain preventative medical care for the employee or the employee's family member; is prohibited from making a complaint, bringing an action, or testifying in an action in To care for a family member with a mental or physical illness, injury, or condition; **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 • The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the information, you may contact: leave is being used: (1) to obtain medical or mental health attention; (2) to obtain

Commissioner of Labor and Industry

10946 Golden West Drive, Suite 160 - Hunt Valley, MD 21031 because the employee has temporarily relocated as a result of the domestic violence, ssl.assistance@maryland.gov

MARYLAND

SAFETY and HEALTH ACT

OCCUPATIONA

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

safety and health protection on the job

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 SECTOR

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.

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

issuing occupational safety and health standards.

primary responsibility for administering the Act and

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.

representatives authorized by the employees be

given an opportunity to participate in the inspection

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

complaining on request.

The Act requires that a representative or

procedure.

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

A public employee who believes he or she has been

within which the alleged violation must be corrected.

discriminated against may file a complaint with

the Commissioner within 30 days of the alleged

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

discrimination.

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. **Activity:** The Act encourages efforts by labor and

> 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

and improve safety and health programs in all

management to reduce injuries and illnesses arising

out of employment. The Commissioner of Labor and

reduce workplace hazards voluntarily and to develop

Industry encourages employers and employees to



requesting an inspection if they believe unsafe or

Commissioner will withhold names of employees

unhealthful conditions exist in their workplace. The

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC

OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM 10946 Golden West Drive, Suite 160 Hunt Valley, Maryland 21031 Phone: 410-527-2091

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

OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT

MARYLAND OCCUPATIONAL **SAFETY and HEALTH ACT**

PRIVATE SECTOR

safety and health protection on the job

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:

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.

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. The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH

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.

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

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. An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the

Office within 30 days of the alleged discrimination.

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

Federal Occupational Safety and Health Administration Regional

If upon an inspection the Commissioner believes an employe

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

While providing penalties for violation, 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

The Act provides for mandatory civil penalties

proposed time period. Also, any employer who

willfully or repeatedly violates the Act may be

assessed civil penalties of up to 10 times the

In compliance with Labor and Employment

maximum penalty amount for each such

Article, §5-810 Ch. 104, Acts of 2024:

take place on or after July 1, 2024, the

1. Beginning with inspections that

a. \$16.131 for each violation

h. \$16.131 for each day an

identified violation is not

corrected within the period

allowed for correction: and

c. \$161.323 for each willful or

2. The new minimum civil penalty for

a willful violation is \$11,162 for each

3. Beginning on January 1, 2025, the

Commissioner of Labor will annually

increase the maximum and minimum

percentage increase in the Consumer

Price Index for All Urban Consumers

(CPI-U) or a successor index, effective

Commissioner of Labor will maintain the

current penalty amounts on the MOSH

In addition to mandatory civil penalties, the Act

resulting in death of an employee is punishable

\$10,000 or by imprisonment for not more than

upon conviction, by a fine of not more than

subsequent offense is punishable by a fine of

not more than \$20,000 or by imprisonment for

on July 15th of each year. The

also provides for imposition of crimina

penalties. Any willful violation of the Act

six months, or by both. Conviction for a

and assistance in this effort, if requested.

not more than one year, or by both.

willful civil penalties by the calendar year

maximum penalty is:

repeated violation.

violation.

against employers. Civil penalties up to the

maximum penalty per day may be assessed

for failure to correct violations within the

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

Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309

MD-0225-F04