



### $\star \star \star \star \star \star \star$ LABOR LAW POSTER $\star \star \star \star \star \star$

#### WORKERS' COMPENSATION

# WORKERS' COMPENSATION in MARYLAND

#### 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)			
Indentificación 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/dono corporal relacionados con el Empleo o Enfermedad Profesional? Si usted se encuentra incapacitado o inhabilitado para trabajar por mas de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

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

- 1. Informarle a su empleador o supervisor de inmediato. No podría recibir todas sus beneficios a menos que su empleador fuere notificado que sufrió una lesión.
- 2. Informarle al médico quien le administre tratamiento que usted se lesionó en su trabajo.

## UNEMPLOYMENT INSURANCE

#### **TO EMPLOYEES**

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

F 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 ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING 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 during the week you return to work 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 Department of Labor, Licensing and Regulation claim center listed below.

4. You are able to work, available for work, and actively seeking work.

NOTE: To ensure prompt handing of your claim, it is necessary to have your Social Security number available. If you claim dependents under 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 numbers, you will be provided with instructions on how to provide a copy of the dependents' 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	Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served
301-313-8000 1-877-293-4125 (toll free) 301-723-2000 1-877-293-4125 (toll free)	Calvert Charles Montgomery Prince Georges St. Mary's Allegany Frederick Garrett Washington	410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Kent Queen Anne's Somerset Talbot Wicomico Worcester	410-853-1600 1-877-293-4125 (toll free)	Anne Arundel Baltimore City Baltimore County Carroll Cecil Harford Howard
SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA 301-313-8000		INSIDE THE STATE OF MARYLAND (DENTRO DEL ESTADO DE MARYLAND) Maryland Relay Dial 711 TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione 711 ó 1-800-877-1264 (U.S.)		OUTSIDETHE STATE OF (FUERA DEL EST DE MARYLAN TTY: 1-800-735- Speech to Speech: 1-80 Para Relevos en Maryla 1-800-877-1264	ADO D) 2258 )0-785-5630 nd presione

#### 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

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE DLLR/DUI 328 (Revised 3-20) Maryland Department of Labor - Employment Article, Title 8, Sec. 8-603

#### ACCOMMODATIONS FOR PREGNANCY DISABILITIES

# 💓 LaborLawCenter.com

Please post in a conspicuous place. Date Posted: Labor laws change frequently. Contact your distributor to ensure that you are in full compliance with required State and Federal posting requirements at least once a year. © LaborLawCenter LLC. All rights reserved.

### **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 Employers: Proposed employment and a place of employment free from Penalty: 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 Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under **Employees:** the Act that apply to his or her own actions and conduct on the job. The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act. nspection 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. Employees or their representatives have the right to file a

Complaint 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.

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

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.

**Citation:** 

Minimum

Wage Rates

\$15.00

Effective 1/1/24

Montgomery Co.

Different minimum

wage rates are in

effect. Employers

in this county are

required to post

the applicable rate

information.

Activity: The MOSH citation must be prominently displayed at or corrected, whichever is later, to warn employees of dangers that may exist there.

The Act provides for mandatory civil penalties against employers. Civil penalties up to the maximum penalty per day may be assessed 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 10 times the maximum penalty amount for each such violation. In compliance with Labor and Employment Article, §5-810 Ch. 104, Acts of 2024: 1. Beginning with inspections that take place on or after July 1, 2024, the maximum penalty is: a. \$16,131 for each violation; b. \$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 repeated violation. 2. The new minimum civil penalty for a willful violation is \$11,162 for each violation 3. Beginning on January 1, 2025, the Commissioner of Labor will annually increase the maximum and minimum willful civil penalties by the calendar year percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) or a successor index, effective on July 15th of each year. The Commissioner of Labor will maintain the current penalty amounts on the MOSH website In addition to mandatory civil penalties, the Act also provides for imposition of criminal penalties. Any willful violation of the Act resulting in death of an employee is punishable

upon conviction, by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both. Conviction for a subsequent offense is punishable by a fine of not more than \$20,000 or by imprisonment for not more than one year, or by both.

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and out of employment. The Co 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

## 3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la pagina del Internet para el

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

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 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

Maryland Equal Pay for Equal Work

(Labor and Employment Article Title 3, Subtitle 3)

This notice must be printed on 8.5" X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10. MD WCC Form C-24 05/2017

EQUAL PAY FOR EQUAL WORK

## Maryland

§3-301 (a) In this subtitle the following words have the

meanings indicated (b)(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; 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 employer. §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; and (2) supervise the payment of a wage owing to an

employee under this subtitle. §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 positior

(2) failing to provide information about promotions or advancement in the full range of career tracks

offered by the employer; or (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 any 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 §3–304.2 or work on the same operation, in the same (A) On request, an employer shall provide to an applicant

business, or of the same type; or (ii) providingless 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 at

workplaces located in the same county of the (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 sys tem that does not

on the basis of sex or gender identity;

quality or quantity of production; or

different duties or services:

differential in compensation;

(iii) accounts for the entire differential.

different times of day;

which the factor:

gender identity

with this subtitle.

(a) An employer may not:

employment;

wages; or

employee for:

employee's wages;

employee wages.

and federal laws.

permission.

employee's wages; or

(ii) disclosing the employee's own wages;

exercise of rights under this section.

(1) prohibit an employee from:

§3-304.1.

and to recover the difference between the wages limitation included in a written policy under subsection (b) of this section shall be an affirmative paid to employees of one sex or gender identity defense to a claim made against an employer by and the wages paid to employees of another sex the employee under this section if the adverse or gender identity who do the same type work employment action taken by the employer was for a and an additional equal amount as liquidated failure to adhere to the reasonable limitation and not damages for an inquiry, a discussion, or a disclosure of wages (2) If an employer knew or reasonably should have in accordance with the limitation. known that the employer's action violates (d) (1) A prohibition established in accordance with 3–304.1 of this subtitle, an affected employee may subsection (b)(3) of this section against the bring an action against the employer for injunctive relief and to recover actual damages and an discussion or disclosure of the wages of another employee without that employee's prior permission additional equal amount as liquidated damages. may not apply to instances in which an employee (3) An employee may bring an action on behalf of the employee and other employees similarly affected. who has access to the wage information of other employees as a part of the employee's essential (b) On the written request of an employee who is entitled to bring an action under this section, the job functions if the discussion or disclosure is in response to a complaint or charge or in furtherance Commissioner may: of an investigation, a proceeding, a hearing, or an (1) take an assignment of the claim in trust for the action under this subtitle, including an investigation employee conducted by the employer. (2) ask the Attorney General to bring an action in (2) If an employee who has access to wage information accordance with this section on behalf of the as part of the essential functions of the employee's employee; and job discloses the employee's own wages or wage (3) consolidate 2 or more claims against an employer. (c) An action under this section shall be filed within 3 information about another employee obtained years after the employee receives from the employer outside the performance of the essential functions the wages paid on the termination of employment of the employee's job, the employee shall be under § 3–505(a) of this title. entitled to all the protections afforded under this (d) The agreement of an employee to work for less than Nothing in this section shall be construed to: the wage to which the employee is entitled under this subtitle is not a defense to an action under this (1) require an employee to disclose the employee's (2) diminish employees' rights to negotiate the terms (e) If a court determines that an employee is entitled

and conditions of employment under federal, to judgment in an action under this section, the State, or local law court shall allow against the employer reasonable (3) limit the rights of an employee provided under counsel fees and other costs of the action, as well any other provision of law or collective bargaining as prejudgment interest in accordance with the Maryland Rules. (4) create an obligation on any employer or employee §3–308. to disclose wages; (a) An employer may not:

proceeding that relates to the subject of this

(1) willfully violate any provision of this subtitle; (5) permit an employee, without the written consent of an employer, to disclose proprietary information, (2) hinder, delay, or otherwise interfere with trade secret information, or information that is Commissioner or an authorized represent otherwise subject to a legal privilege or protected of the Commissioner in the enforcement of by law; or

(6) permit an employee to disclose wage information (3) refuse entry to the Commissioner or an author to a competitor of the employer.

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:

subtitle

wages

agreement;

1. Did not provide wage history; or 2. Requested the wage range in accordance with this applied; and

subject of this subtitle; or subsection: testifying in an action in bad faith. 1. Rely on the wage history of an applicant for (5) Violate §3–304.2 of this subtitle How to File a Complaint or Obtain Additional Information employment in screening or considering the (b) An employee or an applicant for employment may If you feel your rights have been violated under this law or you would like additional information, you may contact: applicant for emplo (1) make a groundless or malicious complaint to the wages for the applicant; or Commissioner of Labor and Industry (3) jobs that require different abilities or skills; 2. Seek the wage history for an applicant for Commissioner or an authorized representative of 10946 Golden West Drive, Suite 160 - Hunt Valley, MD 21031 employment orally, in writing, or through an (4) jobs that require the regular performance of the Commissioner ssl.assistance@maryland.gov employee or an agent or from a current or former (2) in bad faith, bring an action under this subtitle; (5) work that is performed on different shifts or at (3) in bad faith, bring a proceeding that relates to the employei subject of this subtitle; or (2) After an employer makes an initial offer of employment with an offer of compensation to an (6) a system that measures performance based on a (4) in bad faith, testify in an action under this subtitle **DISCRIMINATION NOTICE** applicant for employment, an employer may: or a proceeding that relates to the subject of this (7) a bona fide factor other than sex or gender identity, (I) Subject to paragraph (3) of this subsection, rely subtitle including education, training, or experience, in on the wage history voluntarily provided by the (c) The Commissioner may bring an action for injunctive **EMPLOYMENT DISCRIMINATION IS UNLAWFUL** applicant for employment to support a wage relief and damages against a person who violates Public offer higher than the initial wage offered by the (i) is not based on or derived from a gender-based subsection (a)(1), (4), or subsection (b)(1), (3), or (4) employer: or of this section (ii) is job related with respect to the position and (II) Seek to confirm the wage history voluntarily (d) (1) Except as provided in paragraph (2) of this How Does The Law Protect Me? consistent with a business necessity; and provided by the applicant for employment to subsection, an employer who violates any State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in support a wage offer higher than the initial wage provision of subsection (a)(2) or (3) of this section employment regardless of: Race, Sex, Age, Ethnicity, Ancestry or National Origin, Religion, Physical or Mental Disability, (d) This section does not preclude an employee from is guilty of a misdemeanor and on conviction is offered by the employe Color, Marital Status, Military Status, Sexual Orientation, Gender Identity, Genetic Information demonstrating that an employer's reliance on an (3) An employer may rely on wage history under subject to a fine not exceeding \$300. exception listed in subsection (c) of this section is paragraph (2) of this subsection only if the higher (2) (i) This paragraph does not apply to a violation of What Am I Protected From wage does not create an unlawful pay differentia a pretext for discrimination on the basis of sex or §304.2. You are protected from unlawful discrimination from the following employment-related practices: based on protected characteristics under §3-304 of (ii) If an employer is found to have violated this Public (e) An employer who is paying a wage in violation of this this subtitle. subtitle two or more times within a 3-year period, • Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting work conditions, and subtitle may not reduce another wage to comply (C) This section may not be construed to prohibit an the Commissioner or a court may require the discharging an employee applicant for employment from sharing wage history employer to pay a civil penalty equal to 10% of · Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship programs. with an employer voluntarily. the amount of damages owed by the employer. • Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or circulate (iii) Each civil penalty assessed under this paragraph §3–305. information that unlawfully limits employment. (a) (1) Each employer shall keep each record that the shall be paid to the General Fund of the State to • Newspapers and other media cannot publish job advertisements that discriminate. (i) inquiring about, discussing, or disclosing the Commissioner requires on: offset the cost of enforcing this subtitle. (i) wages of employees: (E) (1) If the Commissioner determines that an employer wages of the employee or another employee; or What If My Employer Retaliates? has violated §3-304.2 of this subtitle, the (ii) requesting that the employer provide a reason (ii) i ob classifications of employees; and Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an employee for why the employee's wages are a condition of (iii) other conditions of employment. Commissioner: decides to file an employment discrimination complaint, an employer may not: (I) shall issue an order compelling compliance; and (2) An employer shall keep the records required under (2) require an employee to sign a waiver or any other Interfere with; this subsection for the period of time that the (II) may, in the Commissioner's discretion, document that purports to deny the employee Commissioner requires 1. for a first violation, issue a letter to the employer Restrain: the right to disclose or discuss the employee's (b) On the basis of the records required under this compelling compliance; • Deny the exercise: or section, an employer shall make each report that the 2. for a second violation, assess a civil penalty of • Deny the attempt to exercise the right. (3) take any adverse employment action against an up to \$300 for each applicant for employment Commissioner requires. Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights §3-306 for whom the employer is not in compliance; or (MCCR) (i) inquiring about the employee's wages or another (a) On request of an employer, the Commissioner shall 3. for each subsequent violation, assess a civil provide without charge a copy of this subtitle to the penalty of up to \$600 for each applicant for What If I Am A Victim Of Discrimination employer employment for whom the employer is not If you believe your rights under the law have been violated, you must file a complaint with MCCR **300 days** of the alleged (b) Each employer shall keep posted conspicuously in (iii) discussing another employee's wages if those in compliance if the violation occurred within act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is wages have been disclosed voluntarily; each place of employment a copy of this subtitle. 3 years after a previous determination that a (iv) asking the employer to provide a reason for the (c) The Commissioner, in consultation with the violation had occurred. reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. All Maryland Commission on Civil Rights, shall develop (2) In determining the amount of the penalty, if procedures by MCCR are confidential until your case is certified for public hearing or trial. (v) aiding or encouraging another employee's educational materials and make training available to assessed, the Commissioner shall consider: (I) the gravity of the violation' State of Maryland Commission on Civil Rights assist employers in adopting training, policies, and procedures that comply with the requirements of this (b)(1) Subject to paragraph (2) of this subsection, an (II) the size of the employer's business; 6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631 employer may, in a written policy provided to subtitle (III) the employer's good faith; and each employee, establish reasonable workday (IV) the employer's history of violations under this §3-306.1. Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 limitations on the time, place, and manner for (a) Whenever the Commissioner determines that this subtitle. mccr@maryland.gov | www.mccr.maryland.gov inquiries about or the discussion or disclosure of subtitle has been violated, the Commissioner shall: (3) If the Commissioner assesses a penalty under paragraph (1)(II) of this subsection, the penalty (1) try to resolve any issue involved in the violation (2) A limitation established under paragraph (1) of shall be subject to the notice and hearing informally by mediation; or (2) ask the Attorney General to bring an action on this subsection shall be consistent with standards requirements of Title 10, Subtitle 2 of the State NO SMOKING OR VAPING adopted by the Commissioner and all other State behalf of the applicant or employee. Government Article. (b) The Attorney General may bring an action under this Complaint: For additional information or to file a complaint, (3) Subject to subsection (d) of this section. NO SMOKING 😣 😣 🛞 section in the county where the violation allegedly **NO VAPING** please contact: limitations established under paragraph (1) of this occurred for injunctive relief, damages, or other subsection may include prohibiting an employee relief FOR MORE INFORMATION CONTACT: from discussing or disclosing the wages of §3-307. Maryland Code Annotated, Health-General Title 24, Subtitle 5 Department of Labor another employee without that employee's prior (a)(1) If an employer knew or reasonably should have **Division of Labor and Industry** known that the employer's action violates § 3–304 **Employment Standards Service** (c) Except as provided in subsection (d) of this section, of this subtitle, an affected employee may bring 10946 Golden West Drive, Suite 160 – Hunt Valley, MD 21031 NOTICE TO TIPPED EMPLOYEES the failure of an employee to adhere to a reasonable an action against the employer for injunctive relief Phone: 410-767-2357 Rev. 2/22 Maryland Division of Labor and Industry Maryland NOTICE TO TIPPED EMPLOYEES

**PREGNANT & WORKING** 

State of Maryland Commission on Civil Rights 6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631

#### 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 impose 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. Your employer must explore "all possible means of providing the reasonable accommodation." State Government Article, §20-609(d). The law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable accommodation. These include, but are not limited to: Changing 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 requests. 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:

 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.

#### Can I Still Get In Trouble

Retaliation is prohibited under State Government Article, §20-609(h) when exercising your rights. If an employee seeks to exercise her right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may 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?

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 Officer will work with you to discuss what happened and determine if there is reason to believe 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.

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

#### 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 employees to provide paid sick and safe eave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

Accrua Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee 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 earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time. Leave Usage

- An employee is allowed to use earned sick and safe leave under the following conditions:
- · To care for or treat the employee's mental or physical illness, injury, or condition;
- / member
- dition;
- ssault, or stalking committedagainst the d: (1) to obtainmedical or mental health gal services or proceedings; or (4) because , sexual assault, or stalking.

sibling, the legal guardian or ward of the stood in loco parentis to the employee or

in amounts established by their employer. leave when it is foreseeable. An employer

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

subtitle or causes the action or proceeding to be Prohibitio section for the position for which the applicant brought; or An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the (iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the (II) Except a provided in paragraph (2) of this Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or

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 requeste



ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC ARYLAND 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

Voluntar

### MARYLAND MINIMUM WAGE AND OVERTIME LAW

(Labor and Employment Article, Title 3,	Subtitle 4, Annotated Code of Maryland)		
	e State Minimum Wage Rate per hour. Employers must pay at least <b>\$3.63</b> pe		
utilize a tip credit are required to provide employees with a written or elect	te. Subject to the adoption of related regulations, restaurant employers who ronic wage statement for each pay period showing the employee's effective it hours worked for each workweek of the pay period. Additional information		
<b>Employees under 18 years of age</b> must earn at least 85% of the State M	inimum Wage Rate.		
<mark>Overtime</mark> Most employees must be paid <u>1.5 times</u> their usual hourly rate for all wo	rk over <b>40 hrs.</b> per week. Exceptions:		
<ul> <li>Agricultural workers for all work over 60 hrs. per week</li> </ul>			
Exemptions Minimum Wage and Overtime Exemptions:	<ul> <li>Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood</li> </ul>		
<ul> <li>Immediate family over the Exemptors.</li> <li>Immediate family member of the employer</li> <li>Certain agricultural employees</li> <li>Executives, administrative, and professional employees</li> <li>Volunteers for educational, charitable, religious, and non-profit organizations</li> <li>Employees under 16 working less than 20 hours per week</li> <li>Outside salespersons</li> <li>Commissioned employees</li> <li>Employees enrolled as a trainee as part of a public school special education program</li> <li>Non-administrative employees of organized camps</li> <li>Certain establishments selling food and drink for consumption on the premises grossing less than \$400,000 annually</li> <li>Drive-in theaters</li> </ul>	<ul> <li>Overtime Only Exemptions (must earn the State Minimum Wage Rate):</li> <li>Taxicab drivers</li> <li>Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks</li> <li>Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show</li> <li>Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission</li> <li>Seasonal amusement and recreational establishments that meet certain criteria</li> </ul>		
Maryland Department of Labor, Division of Labo 10946 Golden West Drive, Suite 160 Hunt Valley, MD 21031 • Te	OFILE A COMPLAINT CONTACT: or and Industry—Employment Standards Service dephone Number: (410) 767-2357 • Fax Number: (410) 333-7303 andards-dllr@maryland.gov		

#### **OSHA** - THE OCCUPATIONAL SAFETY AND HEALTH ACT



PUBLIC SECTOR

An employer may not:	<ul> <li>To obtain preventative medical care for the employee or the employee's famil</li> </ul>
1) willfully violate any provision of this subtitle;	<ul> <li>To care for a family member with a mental or physical illness, injury, or conditional structure in the second structure of the second structure in the second structure of the second structure is a second structure of the second structure of</li></ul>
of the Commissioner in the enforcement of this subtitle;	employee or the employee's family member and the leave is being use
B) refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the Commissioner is authorized	the employee has temporarily relocated as a result of the domestic violence A family member includes a spouse, child, parent, grandparent, grandchild, s
employee or applicant for employment because the employee or applicant for employment:	Employees are permitted to use earned sick and safe leave in increments in certa
(i) makes a complaint to the employer, the	may deny leave in certain circumstances.
<ol> <li>2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle;</li> <li>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;</li> <li>4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for employment:</li> </ol>	attention; (2) to obtain services from a victim services organization; (3) the employee has temporarily relocated as a result of thedomestic viol A family member includes a spouse, child, parent, grandparent, grandch employee or the employee's spouse, or an individual who acted as a parer the employee's spouse when the employee or the employee's spouse was a Employees are permitted to use earned sick and safe leave in increments in Employees are required to give notice of the need to use earned sick and

#### **TO BE POSTED**

#### HEALTH INSURANCE COVERAGE

You and other members of your family may be eligible under Maryland law to IMPORTANT: You will be responsible for paying the entire cost of the health 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.

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 PUB/DUI 6116

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

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

PURSUANT TO §3-713 (C) OF THE LABOR AND EMPLOYMENT ARTICLE OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED EMPLOYEE IS EMPLOYED. Rev. 2/2022

# 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:

**Citation:** 

Activity:

- 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 primary responsibility for administering the Act and issuing occupational safety and health standards.

#### **Inspection:** The Act provides that the State Government and each of its political subdivisions or any agency thereof shall develop, conduct and maintain a program of

self-inspection. This program is to be approved and monitored by the Commissioner of Labor and Industry. Voluntary

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

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

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



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

and industries.

and supervisors

The Act provides that employees may not be

exercising their rights under the Act.

alleged violation must be corrected.

discrimination.

discharged or discriminated against in any way for

A public employee who believes he or she has been

filing safety and health complaints or otherwise

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 within which the

The MOSH citation must be prominently displayed at

The Act encourages efforts by labor and management

employment. The Commissioner of Labor and Industry

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.

to reduce injuries and illnesses arising out of

encourages employers and employees to reduce

workplace hazards voluntarily and to develop and

Such cooperative action would initially focus on

the identification and elimination of hazards that

could cause death, injury, or illness to employees

improve safety and health programs in all workplaces



## HEALTH INSURANCE COVERAGE