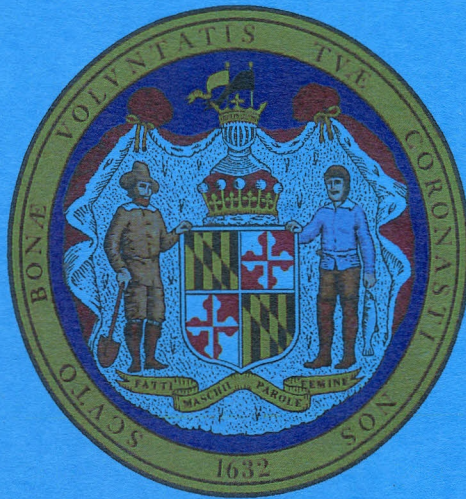


DIVISION OF LABOR AND INDUSTRY

ANNUAL REPORT

2014



STATE OF MARYLAND

LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

Kelly M. Schulz
Secretary, Department of Labor, Licensing, and Regulation

Thomas J. Meighen
Commissioner, Division of Labor and Industry

The Honorable Larry Hogan
Governor of Maryland
State House
Annapolis, Maryland 21401

Dear Governor Hogan:

I am submitting to you the 2014 Annual Report of the Division of Labor and Industry, Department of Labor, Licensing and Regulation. This report is required under Section 2-108 of the Labor and Employment Article, *Annotated Code of Maryland*. The report summarizes the many activities of the Division of Labor and Industry during calendar year 2014. Additionally, the 2014 Annual Report includes information required by the following: MSAR #1969, MSAR #861, MSAR #1937, MSAR #9199, MSAR #9832, MSAR #9830, MSAR #10058, and MSAR #9829.

Copies of the report are being sent to the General Assembly.

With your guidance, we look forward to building on our strengths to aggressively tackle the challenges that lie ahead and improve our ability to protect the employment rights, safety and opportunities for apprenticeship training for Marylanders.

Sincerely,



Thomas J. Meighen
Commissioner of Labor and Industry

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Introduction

The Maryland Division of Labor and Industry is an advocate agency concerned with the welfare of Maryland's workforce, essential safety services to business, industry and the general public. Under the direction of the Commissioner of Labor and Industry, the Division is charged with administering the following laws and regulations:

- Amusement Ride Safety Law and Regulations
- Apprenticeship and Training Law and Regulations
- Boiler and Pressure Vessel Safety Act and Regulations
- Choice of Bargaining Representative Law
- Day of Rest – Retail and Wholesale Establishments
- Deployment Leave
- Elevators, Dumbwaiters, Escalators and Moving Walks Law and Regulations
- Employment Agency Act and Regulations
- Employment of Minors Law
- Equal Pay for Equal Work Law
- Farm Labor Contractor Law and Regulations
- Flexible Leave Act
- Healthy Retail Employee Law
- High Voltage Line Law
- Interpreters
- Job Applicant Fairness Law
- Jury Service
- Lie Detector Test Law
- Living Wage Law and Regulations
- Mediation or Arbitration of Labor Disputes Law and Regulations
- Medical Questions Law
- Occupational Safety and Health Act and Regulations
- Parental Leave – Birth of Adoption of a Child
- Pension Plans
- Prevailing Wage - Contracts for Public Works Law and Regulations
- Railroad Safety and Health Law and Regulations
- Smoking on Public Elevators Law and Regulations
- Tipped Employees – Payments or Deductions from Wages Prohibition
- User Name and Password Privacy Protection and Exclusions
- Volunteer Activities
- Wage and Hour Law and Regulations
- Wage Payment and Collection Law
- Wholesale Sales Representatives
- Workplace Fraud Law

This report is divided into chapters according to the primary units of the agency. The report describes the scope and purpose of each unit and of the boards, councils and committees that advise, assist, or propose regulations to the Commissioner. Included is a summary of activities during the past year, and a list of the Division's publications.

Chiefs and Commissioners

Bureau of Industrial Statistics and Information

Thomas C. Weeks, Chief	1884 – 1892
A. B. Howard, Chief	1892 – 1896
Charles H. Myers, Chief	1886 – 1898
Jefferson D. Wade, Chief	1898 – 1900
Thomas A. Smith, Chief	1900 – 1904
Charles J. Fox, Chief	1904 – 1912
Frank A. White, Chief	1912 – 1916

Board of Labor and Statistics

Charles J. Fox, Chairman	1916 – 1922
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Commissioner of Labor and Statistics

J. Knox Insley, Commissioner	1922 – 1935
Henry Lay Duer, Commissioner	1936 – 1937
A. Stengle Marine, Commissioner	1938 – 1945
John M. Pohlhaus, Commissioner	1938 – 1945

Department of Labor and Industry

John M. Pohlhaus, Commissioner	1945 – 1948
Joseph F. DiDomenico, Commissioner	1948 – 1959
Murray L. Schuster, Commissioner	1959 – 1963
Henry Miller, Commissioner	1963 – 1970

Division of Labor and Industry

Henry Miller, Commissioner	1970 – 1972
Harvey A. Epstein, Commissioner	1972 – 1983
Dominic N. Fornaro, Commissioner	1983 – 1988
Henry Koellein, Jr., Commissioner	1988 – 1996
John P. O'Connor, Commissioner	1996 – 1999
Kenneth P. Reichard, Commissioner	1999 – 2003
Dr. Keith L. Goddard, P.E., Commissioner	2003 - 2004
Robert L. Lawson, Commissioner	2004 - 2007
J. Ronald DeJuliis, Commissioner	2007 - 2014

Serving Marylanders for 131 Years

The Industrial Revolution made a tremendous impact on the country's economy and increased the demands of the labor force throughout the nation. The forerunner of today's Division of Labor and Industry was created in 1884, when the Maryland General Assembly established the Bureau of Industrial Statistics and Information. The high level of interest in protecting the State's workforce, collecting statistics and information on the needs and abuses that existed in various industries was a primary function of the Bureau.

Thomas C. Weeks, the first Chief of the Bureau of Industrial Statistics and Information, noted in his first biennial report that the work of the Bureau was seriously hindered prior to 1884 because there had been no inquiries about the needs and abuses of industry.

As interpreted by Mr. Weeks, "it was the intention of the Legislature to create the Bureau in the special interest of the wage-workers of the State, and while recognizing the fact, that under our system of society, the interests of one class greatly affect the interests of all; that the more extensive our commerce, and the greater the facilities afforded to manufacture, the better should be the condition of those who labor; that an enlarged market should increase...the price of wages, the distribution of wealth, and the quantity of home consumption."

The Bureau of Industrial Statistics and Information was abolished in 1916, and the State Board of Labor and Statistics was created operating under the direction of three commissioners.

The three main tasks of the new Board were collection of statistics on labor, agriculture, mineral products, transportation and commerce; operation of free employment agencies; and investigation by the Board of Commissioners as to the causes of unemployment and authorization by the Board of Commissioners to appoint Boards of Arbitration, and a Deputy, known as the Chief Mediator, with jurisdiction in areas of arbitration and settlement of labor disputes.

In 1922, after a statewide reorganization of administrative functions, the duties of the three-person Board of Commissioners were transferred to a single Commissioner of Labor and Statistics. Twenty-three years later, in 1945, the position of Commissioner of Labor and Industry was created. Powers and duties remained substantially the same, and the laws to be administered by the Department of Labor and Industry were essentially the same as those under the former State Board of Labor and Statistics.

Under departmental reorganization in 1970, Labor and Industry became a division within the Department of Licensing and Regulation, since 1995 known as the Department of Labor, Licensing, and Regulation.

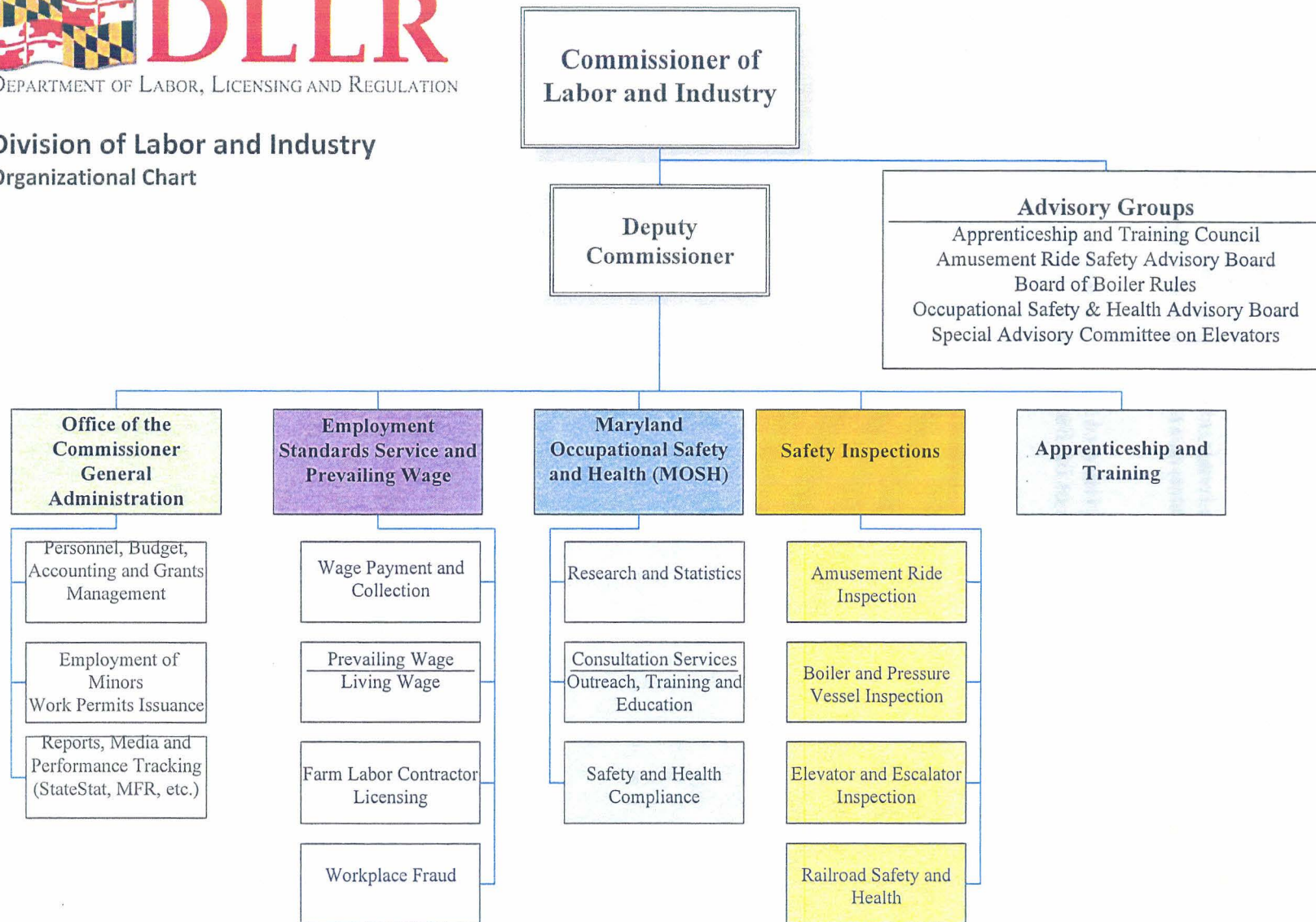
SUMMARY

In the years from the inception of the agency to the present day, many new laws, resources, and additional responsibilities have been added. Today, the Division of Labor and Industry administers State laws addressing employment issues such as wage payment, occupational safety and health, workplace fraud, safety inspection of amusement rides, boilers and pressure vessels, elevators and escalators, and railroads, employment of minors, and farm labor contractors.

Responsibilities assigned to the Division of Labor and Industry are many and diverse. Every citizen living within the boundaries of the State in some way benefits from, and is affected by, the administration of these laws.



Division of Labor and Industry
Organizational Chart



Office of the Commissioner

GENERAL ADMINISTRATION

The Commissioner of Labor and Industry provides leadership to the many programs that offer services to promote and protect the welfare of Maryland wage earners. The Commissioner, through such diverse activities as program planning, coordination and evaluation, legislation and regulation coordination and review, financial management, conciliation and representation elections, and personnel administration, is able to guide the direction of the programs allowing laws to be implemented. As required by the Labor and Employment Article, Section 2-105, *Annotated Code of Maryland*, the Commissioner seeks to promote harmony between industry representatives and labor through the Construction Roundtable, Advisory Group meetings, and attendance at merit and organized labor outreach programs, conferences, and seminars. The Office of the Commissioner coordinates a staff of 192 budgeted permanent employees who provide their valuable services to the citizens of Maryland.

Administrative staff responds to public inquiries and complaints, and resolves those issues that cannot be concluded satisfactorily at the program level. Issues vary from interpretation of law, regulation, and policy for which the Division has jurisdiction, to resolution of technical issues related to the safe operation of equipment and occupational safety and health issues which affect citizens. The Commissioner's staff also provides support to the agency's advisory boards and committees, including major research and outreach efforts on topics of current concern.

Advisory Board support goes beyond administrative support to include the technical research to support Board hearings for adoption of new national codes and standards, variance requests and analysis of trends, and data to provide alternatives and support for positions. Representatives of the Division, including the Commissioner, routinely meet with Maryland businesses, labor and civic leaders, and participate in educational seminars to provide guidance, consultation and leadership.. The Commissioner and staff participate in national organizations such as the National Association of Governmental Labor Officials (NAGLO), the Occupational Safety and Health State Plan Association (OSHSPA), the American Society of Safety Engineers (ASSE), the American Society of Mechanical Engineers (ASME), the National Board of Boiler and Pressure Vessel Inspectors, and the National Association of State and Territorial Apprenticeship Directors, (NASTAD).

The Office of the Commissioner continues to shape and develop initiatives relating to the quality and effectiveness of the Division, and holds bi-weekly meetings with program personnel to ensure that Division of Labor and Industry programs remain on track in achieving goals and objectives.

Employee Physical Program

To ensure that Division of Labor and Industry field employees are capable of safely performing their duties and are not experiencing diminished health capacity as a result of their work experience, employees are medically monitored in accordance with occupational safety and health standards. The Office of the Commissioner maintains and administers an ongoing

employee physical program that is serviced through an outside vendor. This program involves scheduling physical examinations for individuals assigned to work in the field and across the State at various host employer locations. The Commissioner takes this responsibility very seriously and must also follow-up on medical recommendations and conduct performance audits to ensure the appropriateness of the physical examinations and tests conducted by the contractor.

Advisory Groups

Within the Office of the Commissioner, there are five advisory boards, councils, and committees. The expertise of these groups is used both in the decision-making process and in the promulgation of regulations. In 2014, these advisory groups conducted 6 meetings.

LEGISLATION IN 2014

There were several bills introduced and passed during the 2014 session of the General Assembly which directly affect the Division of Labor and Industry.

- ***Commissioner of Labor and Industry – Electronic Sharing – Chapter 38 (Senate Bill 130)*** Repealed requirements that an employer submit to the Division of Labor and Industry paper copies of any report they provide to the Maryland Workers' Compensation Commission and that the Workers' Compensation Commission will share information electronically.
- ***Maryland Minimum Wage Act of 2014 – Chapter 262 (House Bill 295)*** This Administration bill requires employers in the State, as of January 1, 2015, to pay the greater of the federal minimum wage or a State minimum wage of \$8.00 per hour to employees subject to federal or State minimum wage requirements. The bill provides for subsequent annual increases in the State's minimum wage from July 1, 2015, through July 1, 2018, and allows an exception for employers of amusement or recreational establishments under specified conditions. The bill also alters the application of the Maryland Wage and Hour Law, changes overtime laws for various industries, alters the tip credit that employers can apply against the direct wages paid to tipped employees, and provides for liquidated damages to be awarded under specified circumstances to employees who are paid less than the minimum wage. Additionally, the bill mandates rate increases for developmental disabilities community services providers. This bill took effect July 1, 2014.
- ***Workgroup Public Works Contractors Occupational Safety and Health Prequalification Requirements, Chapter 625.*** This law requires the Department to convene a workgroup to study and make recommendations regarding public work contractor occupational safety and health pre-qualifications. It also provides for certain participants.
- ***Enforcement of Local Minimum Wage Laws – Chapter 411 (House Bill 579)*** This bill requires the Commissioner of Labor and Industry to enforce a local minimum wage law. The Commissioner has the same powers and duties in enforcing a local minimum wage law as the Commissioner has in enforcing the State's wage and hour law. The

Commissioner, on his own initiative or on receipt of a written complaint, may investigate whether a local minimum wage law has been violated. Additionally, the commissioner may delegate any power or duty of the Commissioner to enforce a local minimum wage law. This bill took effect June 1, 2014.

- ***Employment of Minors - Chapter 100 (House Bill 467)*** This departmental bill repeals the authorization under which the Commissioner of Labor and Industry or a county superintendent of schools may issue a work permit to a minor. The bill instead enables a parent or guardian of a minor to apply online to the Commissioner for a minor's work permit. This bill took effect October 1, 2014.
- ***Maryland Occupational Safety and Health Act – Chemical Information list – Chapter 548 (SB 711)*** This bill repeals the requirement that an employer submit its chemical information list to the Maryland Department of the Environment. The law retains the requirement that an employer retain a chemical information list.
- ***Unpaid Parental Leave – Birth or Adoption of a Child – Chapter 333 (Senate Bill 737)*** This bill requires firms with 15 to 49 employees to provide employees with unpaid parental leave benefits. The bill establishes the regulatory authority of the Commissioner of Labor and Industry and allows affected employees to bring an action for damages against an employer that violates the bill's provisions. This bill took effect October 1, 2014.

MEDIATION AND CONCILIATION

Pursuant to Labor and Employment Article, Section 2-107(c), *Annotated Code of Maryland*, mediation and conciliation services must be provided by the Division of Labor and Industry when requested. In 2014 no request was made for services.

EMPLOYEE STOCK OWNERSHIP PLAN

Consistent with the requirements of the Broadened Ownership Act, Economic Development Title 14-102, *Annotated Code of Maryland*, designated State agencies are directed to encourage participation in employee stock ownership plans. The Act requires that the promotional efforts employed on behalf of these plans be discussed in the annual legislative report of each designated agency. During 2014, the Division of Labor and Industry received no requests for the brochure "Employee Stock Ownership Plan," which was developed in response to the Act. The Division continues to promote employee stock ownership by putting the brochure on its website.

COMMITTEE PARTICIPATION

The Commissioner of Labor and Industry and staff have been effectively involved in such diverse organizations as:

American National Safety Institute (ANSI)
ANSI A10. Construction and Demolition Sub-Groups
 A10.2 Safety, Health, and Environmental Training
 A10.8 Scaffolding
 A10.37 Debris Nets
 A10.38 Basic Elements of a Program to Provide a Safe and Healthful Work Environment
 A10.39 Safety Health Audit Program
 A10.41 Equipment Operators and Supervisor Qualifications and Responsibilities
American Society of Safety Engineers (ASSE)
Asbestos Oversight Committee
Baltimore City Local Emergency Planning Committee
Chesapeake Regional Safety Council
Controlled Hazardous Substances Advisory Council
Council for Amusement & Recreational Equipment Safety (CARES)
Delmarva Safety Association
Department of Health and Mental Hygiene Contagious Diseases Committee
Governor's Commission on Migratory and Seasonal Farm Labor
Governor's Task Force on Public Works and Service Contract Wages
Interstate Labor Standards Association
Maryland Explosives Advisory Committee of the Fire Marshal's Office
Maryland Fire Chief's Firefighter Safety Council
Maryland Rehabilitation Advisory Council
Maryland Safety and Health Conference Planning Committee
Mayor of Baltimore Hazardous Materials Council
National Association of Elevator Safety Authorities
National Board of Boiler and Pressure Vessel Inspectors
National Fire Protection Association (NFPA)
National Safety Council
Occupational Safety and Health State Plan Association (OSHSPA)
Operation Lifesaver
Partnership for a Safer Maryland (PSM)
Public Employees Safety Association of Maryland (PESA)
Public Risk Management Association (PRIMA)
State Employees Risk Management Administration (SERMA)
Safety and Health Achievement Recognition Program (SHARP) Flag Committee

Employment Standards

Created in 1965 to enforce Maryland's Minimum Wage Law, the Employment Standards Service has been traditionally responsible for administering the following Maryland laws:

Labor and Employment Article

Employment of Minors	Title 3, Subtitle 2
Equal Pay for Equal Work	Title 3, Subtitle 3
Wage and Hour Law	Title 3, Subtitle 4
Wage Payment and Collection	Title 3, Subtitle 5
Medical Questions	Title 3, § 3-701
Lie Detector Tests	Title 3, § 3-702
Volunteer Activities	Title 3, § 3-703
Day of Rest	Title 3, § 3-704
Pension Plans	Title 3, § 3-705
Interpreters	Title 3, § 3-707
Jury Service	Title 3, § 3-709
Healthy Retail Employee Act	Title 3, § 3-710
Job Applicant Fairness Act	Title 3, § 3-711
User Name and Password Privacy Protection Act	Title 3, § 3-712
Adoption Leave	Title 3, § 3-801
Flexible Leave Act	Title 3, § 3-802
Deployment Leave	Title 3, § 3-803
Workplace Fraud Act	Title 3, Subtitle 9
Civil Air Patrol	Title 3, § 3-1001
Farm Labor Contractors	Title 7

Business Regulation Article

Employment Agencies	Title 9
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WAGE PAYMENT AND COLLECTION

The Wage Payment and Collection Law require that an employee be paid what was promised. The law imposes certain duties on an employer and establishes the time when wages must be paid upon termination of employment.

Wage Payment and Collection/Wage and Hour Activity for: January 1, 2014 through December 31, 2014

Sufficient wage claim forms received	1061
Investigations completed	895
Claims for which wages were recovered	552
Total wages collected	\$880,333.62

The Commissioner issues administrative orders to pay wages where it is determined that the wage payment and collection law has been violated. An employer may appeal the administrative order but if no appeal is filed, the Commissioner may proceed to District Court. The Commissioner has issued 128 administrative orders and recovered \$45,631 in fiscal year 2014. Administrative orders are an effective tool to the wage payment and collection process.

WAGE AND HOUR

Pursuant to Labor and Employment Article, Title 3, Subtitle 4, *Annotated Code of Maryland*, Wage and Hour law requires that all covered employees be paid the specified minimum wage rate, and 1½ times the usual hourly wage for hours worked in excess of 40 in one workweek. Certain establishments and employees are exempt from both the minimum wage rate and overtime provisions of the law. Others are exempt only from the overtime provisions.

Effective July 1, 2014, the Maryland Minimum Wage Act specified the State minimum wage rate to take effect for certain time periods: effective January 1, 2015, \$8.00 per hour, effective July 1, 2015, \$8.25 per hour, effective July 1, 2016, \$8.75 per hour, effective July 1, 2017, \$9.25 per hour and effective July 1, 2018, \$10.10 per hour. Employers must pay tipped employees at least \$3.63 per hour and tipped employees must earn at least the State minimum wage rate per hour. Amusement and Recreational Establishments (who meet certain requirements) must pay employees at least 85% of the State Minimum Wage Rate or \$7.25, whichever is higher. Employees under 20 years of age must earn at least 85% of the State Minimum Wage Rate for the first six (6) months of employment.

EMPLOYMENT OF MINORS

Pursuant to Labor and Employment Article, Section 3-202, *Annotated Code of Maryland*, “the policy of the State is to encourage the development of minors by allowing them to engage in occupations that prepare them for responsible citizenship, yet to protect them from occupations that will be injurious to their mental, moral, or physical welfare.” The Employment of Minors Law restricts the occupations and hours of work for minors 14 through 17 years of age and imposes certain obligations on both minors and employers. Pursuant to §3-205, an employer must have a valid work permit.

Employment of Minors Activity for: January 1, 2014 through December 31, 2014	
Work permits issued	57,081

The application process was modified and is now available on-line through the DLLR web site at <http://www.dllr.state.md.us/labor/wages/empm.shtml>. Issuing officers from most secondary schools in Maryland, as well as most Division of Labor and Industry offices, can access the system and issue permits. In order to ensure compliance, the Division responds to complaints. Upon investigation, the Division of Labor and Industry notifies employers of apparent violations and seeks compliance with the requirements. However, although complaints were received and violations identified, the current statute only provides for criminal prosecution

of violators, and therefore effectiveness is compromised. There are no administrative sanctions. Special permits for child actors or models of any age are issued by the Commissioner upon evaluation of the circumstances ensuring that the child is working in a safe environment, has proper supervision and that as a result of the work experience, does not suffer damage to educational enrichment.

EQUAL PAY FOR EQUAL WORK

Pursuant to Labor and Employment Article, Section 3-302, *Annotated Code of Maryland*, men and women performing the same or similar work must be paid equally. Consideration is made for merit, longevity, skill, and shift work.

Section 3-304 requires that "an employer may not discriminate between employees in any occupation by paying a wage to employees of one sex at a rate less than the rate paid to employees of the opposite sex if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type."

FARM LABOR CONTRACTORS

The Division of Labor and Industry is charged with administering the Farm Labor Contractors Law that was designed to improve the migratory labor system in Maryland. A Farm Labor Contractor (FLC) is someone who, for money or other valuable consideration paid or promised to be paid, recruits, solicits, hires, employs, furnishes or transports migrant and/or seasonal agricultural workers or, provides housing to migrant agricultural workers.

Before performing any farm labor contracting activity in or for Maryland, a farm labor contractor must obtain a license from the Commissioner. Since 1983, all farm labor contractors who work in Maryland must be licensed by the Commissioner. Additionally, the law imposes duties on a farm labor contractor regarding the employment, housing, and transportation of migrant agricultural workers. An agricultural operation, or "grower", should verify that a farm labor contractor is licensed before using the contractor's services.

Farm Labor Contractors Licenses for 2014	
Applications received	8
Licenses issued	6
Licenses denied	2
Applications incomplete	1

The Division of Labor and Industry continues to process farm labor contractor license applications and issue licenses to qualified applicants. Because funding for Maryland field investigation staff was eliminated, the Division is not able to respond to complaints or reports of unregistered farm labor contractors. However, since the FLC must also obtain federal registration, where appropriate, complaints are referred to the U.S. Department of Labor. There were no citations issued for violations of the Farm Labor Contractors Law during 2014.

FLEXIBLE LEAVE ACT

The Flexible Leave Act, Section 3-801 et. seq. of the Labor and Employment Article, *Annotated Code of Maryland*, authorizes employees of employers with 15 or more individuals to use "leave with pay" for an illness in the employee's immediate family which includes a child, spouse or parent. Leave with pay is considered time away from work for which an employee is paid and includes sick leave, vacation time, and compensatory time. An employee may only use leave with pay that has been earned. Employees who earn more than one type of leave with pay may elect the type and amount of leave with pay to be used. An employee who uses leave with pay under this law is required to comply with the terms of any collective bargaining agreement or employment policy.

The Flexible Leave Act prohibits an employer from discharging, demoting, suspending, disciplining or otherwise discriminating against an employee or threatening to take any of these actions against an employee who exercises rights under this law. This law does not affect leave granted under the Federal Family and Medical Leave Act of 1993 (FMLA).

HEALTHY RETAIL EMPLOYEE ACT

The Healthy Retail Employee Act, Section 3-710 of the Labor and Employment Article, *Annotated Code of Maryland* applies to Maryland employers who operate "retail establishments" and requires that these employers must provide non-exempt retail employees with break periods based on the length of the shifts the employees work. The Act defines a retail establishment as "a place of business with the primary purpose of selling goods to a consumer who is present at the place of business at the time of sale." A "retail establishment" does not include a restaurant or wholesaler.

JOB APPLICANT FAIRNESS ACT

The Job Applicant Fairness Act, Section 3-711 of the Labor and Employment Article, *Annotated Code of Maryland* prohibits employers in Maryland from using a job application or employee's credit report to determine: (1) whether to hire a job applicant; (2) whether to terminate an employee; or (3) the rate of pay or other conditions of employment for an employee.

LIE DETECTOR TESTS

Section 3-702 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits an employer from requiring an applicant for employment to submit to a lie detector test in order to be hired, or from requiring an employee to submit to a lie detector test as a condition of continued employment. The law requires that certain language appear on every employment application. The Division responds to inquiries related to this law and provides guidance to employers. Exemptions from this law are codified for certain law enforcement officials and applicants applying for jobs involving a national security interest.

USER NAME AND PASSWORD PRIVACY PROTECTION ACT

Section 3-712 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits Maryland employers from requesting or requiring that an employee, or an applicant for employment, provide access to personal social media accounts. The Act forbids employers from asking for any user name, password or other means to access a personal account or service through an electronic communications device, including computers, telephones, and personal digital assistants. The Act forbids employers from discharging, disciplining, penalizing or threatening to do any of the foregoing for an employee's refusal to disclose any such information. However, the Act does not restrict employers from searching social media accounts and viewing publically available information of an employee or an applicant.

ADOPTION LEAVE

Section 3-801 of the Labor and Employment Article, *Annotated Code of Maryland*, requires an employer who provides leave with pay to an employee following the birth of the employee's child shall provide the same leave with pay to an employee when a child is placed with the employee for adoption.

DEPLOYMENT LEAVE

Effective October 1, 2013, Section 3-803 of the Labor and Employment Article, *Annotated Code of Maryland*, authorizes specified employees to take leave from work on the day that an immediate family member is leaving for, or returning from, active duty outside the United States as a member of the armed forces of the United States; prohibiting an employer from requiring an employee to use compensatory, sick, or vacation leave when taking leave under the Act; authorizing an employer to require an employee who takes leave under the Act to submit specified proof to the employer; etc.

LIEN FOR UNPAID WAGES

Section 3-1101 of the Labor and Employment Article, *Annotated Code of Maryland*, requires an employee to provide specified written notice to a specified employer first in order to establish a lien for unpaid wages; authorizing a specified employer to dispute a lien for unpaid wages by filing a specified complaint in a specified circuit court in a specified manner; authorizing a party to request an evidentiary hearing; requiring a circuit court to make a determination on a claim to establish a lien for unpaid wages in a specified manner; authorizing a circuit court to take specified actions; etc.

WORKPLACE FRAUD ACT

The Workplace Fraud Act (WFA) Labor and Employment Article, Title 3, Subtitle 9, *Annotated Code of Maryland* requires that all workers in the construction and landscaping industries in Maryland be properly classified for purposes of worker's compensation and unemployment insurances and for payroll tax withholdings. A work provider may not report a

worker as an independent contractor and give that worker a 1099 if an employer-employee relationship exists in fact. Certain small business operators are exempt from the WFA, and a work provider may properly classify a worker as an independent contractor or sub-contractor if they meet the proper conditions and have the proper documentation.

To ensure compliance with the WFA, the Worker Classification Protection Unit (WCPU) conduct compliance reviews based upon complaints, referrals from other government agencies, and random selection.

WCPU Activity Report 2014

The data below represents activity conducted between January 1 and December 31, 2014:

• # and nature of complaints	107 misclassification complaints
• # of investigations conducted	928
• # of citations issued	254 (misclassification) 108 (failure to provide documentation)
• # of informal resolutions	32
• # of appeals to OAH and outcome	2 (1 default judgment; 1 judgment for the State)
• # of requests for judicial review	0
• # of civil penalties assessed	128
Total amount of penalties assessed	\$128,800.00
Total dollar amount collected	\$102,926.27

Apprenticeship and Training

HISTORY

Apprenticeship is a system that prepares individuals for occupations requiring a broad range of high-level skills and related technical knowledge. The apprentice learns the “how-to” in on-the-job learning under the direction of highly skilled journey workers, and the “why” in related technical instruction classes. Because highly skilled workers play such an important role in our economy, and provide a competitive edge for so many industries, the apprenticeship system has become an integral part of the State’s work-force development strategy.

The Maryland Apprenticeship Act was passed by the General Assembly in 1962, establishing a Maryland Apprenticeship and Training Council (MATC) in the Maryland State Department of Education. After several reorganizations and legislative changes over the years, in 1995, the MATC was placed in the Department of Labor, Licensing and Regulation.

The purpose of the Maryland Apprenticeship Act is to:

- Establish standards of apprenticeship and training to safeguard the welfare of apprentices;
- Encourage the development of a voluntary apprenticeship and training system through the cooperation of management, labor, and interested State agencies;
- Contribute to a healthy economy by helping develop a skilled labor force sufficient in numbers and quality to meet the expanding needs of Maryland industry and attract new industry; and
- Open to all people the opportunity to obtain training in skilled occupations which would equip them for profitable employment.

SERVICES OF THE MARYLAND APPRENTICESHIP PROGRAM

Apprenticeship is a voluntary, industry-driven program that is sponsored by employers, employer associations, and jointly by management and labor. An apprentice, as an employee, receives supervised, structured on-the-job learning combined with related technical instruction (usually classroom study at union training centers, community colleges, public post-secondary schools or company sponsored in-house classroom training) in a specific occupation.

Apprenticeship in Maryland is open to anyone age 16 and older; however, an employer may set a higher entry age, or, by law, individuals must be 18 to apprentice in specified hazardous occupations. About 7.3% of Maryland’s newly registered apprentices are between 16-20. Maryland sponsors have registered apprentices in 59 different skilled occupations, which are representative of the State’s economic base. 8,136 apprentices were receiving training throughout the State as of December 31, 2014.

The Maryland Apprenticeship and Training Program (MATP) has the responsibility for day-to-day operations, which includes registering and certifying program sponsors, monitoring,

issuance of apprentice completion certificates, maintenance of a statewide database, staffing six Council meetings annually, and marketing and promoting the apprenticeship system. The MATP staff covers all of the State's 24 local jurisdictions, providing technical assistance to potential and existing program sponsors and apprentices. For industry sponsors and potential sponsors, this technical assistance may include:

- Analyzing training needs and developing apprenticeship standards;
- Locating or developing related technical instruction curricula;
- Constructing effective on-the-job learning schedules consistent with industry developed standards;
- Assisting in developing apprentice recruitment procedures to meet Equal Employment Opportunity and Affirmative Action requirements;
- Compiling and disseminating labor market information on apprenticeship and national and local industry training needs;
- Conducting program evaluations and quality assessment reviews;
- Registering and canceling apprentice agreements and issuing completion certificates;
- Representing sponsors on all matters presented to the MATC; and
- Facilitating the process associated with receiving Veterans' education benefits.

DEMOGRAPHIC PROFILE OF A MARYLAND APPRENTICE

A Maryland Apprentice:

- Is usually a high school graduate, or equivalent.
- Generally begins a three to five year apprenticeship between the ages of 21 – 24, and completes it between 25 – 28 years of age.
- Works full-time and attends a minimum of 144 hours of classroom instruction per year at one of the State's 18 community colleges, or receives equivalent instruction such as correspondence, company or union sponsored in-house instruction.

As a worker primarily in private sector employment, the apprentice:

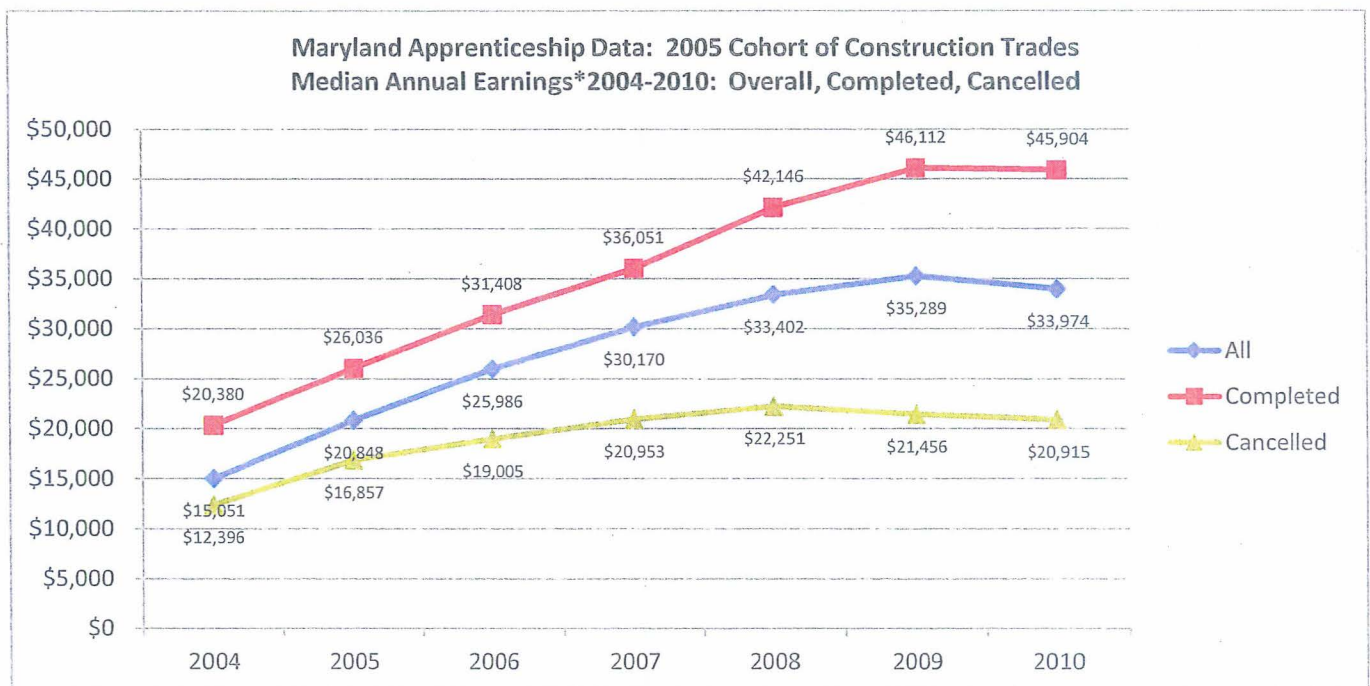
- Is being trained in one of 240 currently recognized highly skilled occupations by one or more of 3,376 employers participating in apprenticeship around the State.
- Is one of 8,136 active apprentices in the State.
- May be one of the 36% who are minorities, and/or 3.7% who are female.
- Will earn approximately 50% of the journey worker wage rate at the start of their apprenticeship and upon completion of apprenticeship will earn between \$15.00 to \$40.00 per hour or more depending upon location and the sector of the workforce involved.
- At the end of fiscal year 2014, 83.7% of apprentices worked in construction occupations, 12.6% worked in service industries, and 0.6% worked in the manufacturing sector.

History of Annual Earnings for Apprentices in Maryland

The chart below demonstrates the earning potential of apprentices that complete their registered program versus those apprentices who fail to complete their apprenticeship. On average, even apprentices who begin an apprenticeship, but fail to complete it have a higher earning potential. This indicates that the work ethic learned through an apprenticeship program can be transferred to other occupations as well.

Between 2004 and 2010, an average of 1,151 registered apprentices graduated from their apprenticeship program sponsor per year. As indicated in the chart below these graduates have the potential for greater earnings than their peers who do not complete their program.

We are pleased to report that during calendar year 2014, the Maryland Apprenticeship Program registered 2,371 new apprentices, in both traditional and non-traditional occupations, and 888 registered apprentices graduated from their apprenticeship program sponsor.



*Note: Annual Earnings have been adjusted for inflation
 All Construction N=2,855 Completed N=1,502 Cancelled N=979

The Jacob France Institute (JFI) serves as a leading source of high quality statistical information and research covering the interaction of business, worker, and government investment decisions. Analysis of trends in the location and quality of employment along with continued education and training opportunities and outcomes are of particular importance in our current portfolio of research. Research and graphs prepared by Treva Stack, Researcher/Statistician at JFI.

Youth Apprenticeship Advisory Committee

The Youth Apprenticeship Advisory Committee was established October 1, 2014. The Committee did not meet in 2014 so there are no recommendations on legislation to promote high school youth apprenticeship programs in the State at this time.

Living Wage Law Compliance

STATE CONTRACTS FOR PUBLIC SERVICES

The Living Wage Law requires certain contractors and subcontractors to pay minimum wage rates to employees working under certain State services contracts. Under State Finance and Procurement Article, Sections 18-101 through 18-109, *Annotated Code of Maryland*, the Commissioner of Labor and Industry is authorized to administer and enforce the Living Wage Law.

Any State procurement contract over \$100,000 to perform certain “services” for various State agencies is subject to the law. There are two living wage rates established statewide. Work performed in Montgomery, Prince George’s, Howard, Baltimore and Anne Arundel Counties and Baltimore City, is defined as “Tier 1” work and currently carries an hourly wage rate as of September 1, 2014 of \$13.39; “Tier 2” rates include wages earned in any county in the State not included in “Tier 1” counties, and an hourly rate as of September 1, 2014 of \$10.06 has been established. The Commissioner of Labor and Industry is required to adjust the wage rates based on the Consumer Price Index, and to allow certain reductions to the wage rates.

Living Wage Activity for 2014	
Service Contracts Received	190
Total Non-Exempt Contracts	703
Exempt & Non-Exempt Contracts as of 12/31	1151
Service Contracts Reviewed	190
Amount of Restitution Recovered	0
Employees Receiving Restitution	0
Vendors/Contractors Submitting Payroll	1171

Prevailing Wage Compliance

CONTRACTS FOR PUBLIC WORKS

The Division is responsible for implementing the prevailing wage law on covered public works contracts, ensuring proper classification of workers, rates of pay and conditions of employment. The Maryland prevailing wage law and regulations are intended to encourage the development of a high-skill, high-wage growth path for the construction labor market in public works contracting. Union and non-union contractors win public works jobs based on having the most productive, best equipped and best managed workforce. **This creates a win/win situation for successful contractors and their workers.**

The Prevailing Wage law regulates the hours of labor, rates of pay, conditions of employment, obligations of employers and duties of certain public officials under contracts and subcontracts for public works in Maryland. The Prevailing Wage law applies to a construction project valued at \$500,000 or more if either of the following criteria are met: (1) the contracting public body is a unit of State government or an instrumentality of the State, and there is any State funding for the project; or (2) the contracting public body is a political subdivision, agency, person or entity (such as a county) and the State funds 50% or more of the project except for school construction where the contract value is \$500,000 or greater with State funding of 25% or more

The Prevailing Wage unit conducts a continuing program to gather current relevant wage data. Statistical information needed to issue wage determinations is obtained through annual surveys and from payrolls submitted by contractors. Wage determinations are issued for each locality in the State (23 counties and the City of Baltimore) and remain in effect for one year from the date they are issued. At the end of 2014, 1,261 covered projects were under construction.

Activity for 2014	
Payrolls received	74,395
Audits performed	35,934
Determinations issued	669
Wages recovered for employees	\$224,687
Liquidated damages collected for violations	\$232,925

The Prevailing Wage Law requires contractors to submit certified payroll statements indicating proper worker classification and wages for both straight and overtime work. The payrolls are audited by field investigators to determine whether employees are paid according to the determinations issued. Together with information from field investigations and employee complaints, the audits frequently result in liquidated damages and restitution recovery for the employees.

The Division of Labor and Industry has seen increased compliance by contractors on Maryland public works projects. Aside from the growth in projects covered, the Division continues to experience success related to the implementation of the electronic web-based certified payroll information system. Contract employers were previously required to create, prepare and mail certified payroll records to verify hours worked and wages/benefits paid for each employee working on the public works project. This often meant that thick envelopes were required to be mailed to the Division with rather large postage expense. Now, that the change has been initiated, there have been significant gains by the Division and many stakeholders. The value of the gain exponentially increased when you consider the adaption of this system to the data collection needs of the Division as it relates to the annual survey of craft-person's wages. In this process, the Division requests that contractors voluntarily participate in wage payment information. Because the majority of the contractors participate in the certified payroll process, the wage survey is able to compliment the system and make wage determination much easier for all who participate.

Maryland Occupational Safety and Health

HISTORY

The Williams-Steiger Occupational Safety and Health Act (OSHA) of 1970 charges the U.S. Department of Labor with responsibility for establishing a program assuring "so far as possible every working man and woman in the nation, safe and healthful working conditions, and preserving our human resources." The Act provides that states may elect to assume the responsibility for development and enforcement of a state occupational safety and health program.

In March 1971, the Governor designated the Division of Labor and Industry as the agency responsible for Maryland's Occupational Safety and Health (MOSH) Plan. Authority and enforcement responsibilities were assumed on July 1, 1973. On July 18, 1985, the Maryland program received final approval and full enforcement authority in all subject areas covered by the State Plan.

MOSH acts in place of Federal OSHA in Maryland, eliminating duplication of requirements and programs for Maryland employers and employees. Federal OSHA retains coverage for workers in the maritime, longshoring, and mining industries in Maryland. MOSH is charged with ensuring that each employer meets its responsibility of providing each working man and woman in the State with safe and healthful working conditions.

The MOSH program consists of four units: *Enforcement, Outreach Programs, Consultation, and Research and Statistics.*

OFFICE OF THE ASSISTANT COMMISSIONER

The Office of the Assistant Commissioner administers the MOSH Program. This office has direct responsibility for program planning and policy-making, program analysis and evaluation, and staffing and resource allocation. The Office of the Assistant Commissioner also ensures the appropriate implementation of new laws and monitors the development of new federal standards. In 2014, Federal OSHA sent out ten new directives or standard notices that adopted new regulations or advised of changes. MOSH has a process in place to ensure that these directives and standards notices are reviewed and adopted in a timely manner.

The Office of the Assistant Commissioner for MOSH also responds to requests under the Maryland Public Information Act (MPIA) for copies of documents maintained by the MOSH Program. The office received and processed 214 requests for information during 2014.

Accomplishments/Notable Cases

- In July 2014, MOSH Region I began a pilot run of the new OSHA Information System (OIS), an internet based operating system that will allow users to enter information on inspections and investigations, generate reports, and track specific tasks in real time. The trial run was the first in the country and affected all State Plan States. The trial allowed for our management team and OSHA's programmers to finally implement a program that has been 13 years in the making and correct final issues. The program replaces and affects nearly every operation performed in MOSH Consultation and Compliance. The pilot was intense and resulted in a huge success. In August the rest of MOSH transitioned over the new system. The rest of country's similar systems were successfully switched over by October 1.
- Effective October 1, 2014 employers are no longer required to submit their chemical information lists to the Maryland Department of Environment. Employers are still required to maintain an updated chemical information list for 40 years and if the employer's business ceases to operate, the chemical list is required to be filed with MOSH.
- Effective July 1, 2014, it is no longer necessary for employers to submit copies to the Commissioner of Labor and Industry any accident or injury report that is required to be submitted to the Maryland Workers' Compensation Commission (WCC) or the Chesapeake Employers' Insurance Company, formerly, the Injured Workers' Insurance Fund. Instead, WCC must provide the Commissioner of Labor and Industry with electronic access to the data contained in the accidental personal injury or occupational disease reports filed with WCC.
- MOSH investigated the fatality of an employee who fell from a water tower while trying to adjust cell/radio antennas on an icy/wet water tower. The case has been finalized and citations have been issued. One citation was issued for the employer not ensuring that the employee anchored the fall protection to a suitable anchor point. Two general duty citations were also issued; one for the employer not performing a site evaluation to determine the existence of proper anchorage points and one for not ensuring a proper fit on a full body harness by allowing the employee to wear a harness two sizes too big for his height and weight. The employer has formally contested all citations and penalties; as of this report the formal contestment has not been settled.
- MOSH utilizes social media to keep employers and employees throughout the state up-to-date on the latest activities within MOSH and the occupational safety and health community. The agency created a Facebook page to post upcoming educational seminars, latest news, and seasonal safety tips. The page can be found at <https://www.facebook.com/MOSHSafety>.
- MOSH also created two videos to help employers and employees understand what MOSH is and how the agency can help by utilizing its consultation program. These videos are posted through the State of Maryland's YouTube page: https://www.youtube.com/watch?v=l-R_MlxU7Os & <https://www.youtube.com/watch?v=I5vV-18ZVp0>.

Enforcement

Safety & Health Compliance

In 2014, MOSH averaged approximately 61 compliance officers located within three regions throughout the State. Each office covers a region of counties and responds to fatalities, accidents, referrals, complaints, and imminent dangers according to geographic location. In August MOSH's latest group of trainees graduated from our intensive, year-long, training program. The class consisted of two Industrial Hygienists, seven Safety Compliance Officers, and two Safety Consultants. MOSH is working on hiring its next class of trainees in 2015.

During 2014 compliance officers conducted 1,452 inspections through its enforcement programs, removed over 60,000 employees from hazardous conditions, and identified and issues citations for over 6,300 hazards. In 2014 compliance officers investigated 132 complaints with serious hazards as concerns, and investigated 29 fatalities. Pursuant to Section 5-205(i) of the Labor and Employment Article, *Annotated Code of Maryland*, the Workers' Compensation Commission did not identify to the Commissioner any employers or industries for investigation of excessive safety violations.

MOSH trains its compliance officers to the fullest extent possible. They are regarded as some of the most technically diverse inspectors able to readily identify hazards across various industries. Twenty compliance officers attended the OSHA Training Institute (OTI) in 2014, and all of our trainees attended two OTI courses that were brought to Maryland. Courses ranged from topics such as: Permit Required Confined Space, Accident Investigation, Cranes in Construction, Principles of Scaffolding, and Combustible Dust Hazards. By attending these training courses, compliance officers develop their specialized skills as highly trained investigators needed to serve the diverse industries throughout our State.

Discrimination

MOSH is charged with handling discrimination complaints pursuant to Section 5-604 of the Labor and Employment Article, *Annotated Code of Maryland* and under regulation at COMAR 09.12.20.05. It is the policy of MOSH to be as accessible as possible to those who have legitimate discrimination complaints concerning safety and health.

Timely-filed discrimination complaints are investigated by MOSH personnel who recommend appropriate case dispositions to the Commissioner, or the authorized representative, at the conclusion of the investigations. The Commissioner, or his authorized representative, makes the final determination in the cases and notifies the complainants of the determination. When there is a merit determination in a case and a settlement is not reached, the case is transferred to the Office of the Attorney General (OAG), as counsel to the Commissioner, for litigation as appropriate. When there is a non-merit determination in a case, the case is dismissed. The OAG provides legal assistance, as necessary, during the investigation. In 2014, 22 discrimination complaints were filed and investigated by MOSH. One case is still open and being handled by our Assistant Attorney General.

In addition to investigating discrimination complaints related to occupational safety and health, MOSH provides assistance, information and referrals on discrimination via telephone

inquiries from employers, employees, the general public, and local, state and federal government agencies.

MOSH Activity 2014

	Voluntary Compliance Sites	Inspections/Investigations	Violations	Educational Classes	Educational Participants	Attendees at Speaking Engagements	Complaints w/ serious hazards inspected	Fatalities Investigated	Fatalities investigated <1 day of notification	Discrimination Cases Completed
Jan-14	1	137	470	5	119	95	12	6	100%	0
Feb-14	1	152	585	7	122	300	4	1	100%	0
Mar-14	0	159	728	6	98	550	19	3	100%	1
Apr-14	1	114	406	11	303	372	13	0	100%	2
May-14	1	144	582	5	158	200	6	1	100%	4
Jun-14	0	127	531	7	135	896	11	1	100%	1
Jul-14	0	156	705	6	105	300	18	1	100%	3
Aug-14	0	150	506	8	107	30	11	5	100%	2
Sep-14	1	189	579	7	155	157	16	1	100%	1
Oct-14	0	128	537	10	291	517	12	2	100%	5
Nov-14	0	118	419	6	84	492	8	5	100%	0
Dec-14	1	128	622	6	157	75	2	3	100%	3
Total	6	1702	6670	84	1834	3984	132	29	100%	22

Outreach Programs

The MOSH program has three opportunities for employers in Maryland to partner with the agency and voluntarily go above and beyond the minimum requirements for occupational safety and health. These three programs consist of Voluntary Protection Program (VPP), Safety and Health Achievement Recognition Program (SHARP) and Cooperative Compliance Partnerships (CCP). These three partnership opportunities are prestigious and challenging. Employers who achieve a partnership status are looked upon as leaders in safety and health. Each partnership program is discussed in further detail below. These programs are implemented to allow Maryland employers an additional avenue to build a working relationship with MOSH personnel and facilitate the further reduction of workplace hazards in a synergistic relationship.

Voluntary Protection Program (VPP)

The Maryland VPP is a cooperative effort by MOSH and participating employers to extend worker protection beyond the minimum required by MOSH standards. VPP is designed to recognize the outstanding achievements of participating employers who have successfully incorporated comprehensive safety and health management plans into their total management system. The VPP can motivate other employers to achieve excellent safety and health performance in the same manner and enable employers to establish a cooperative relationship with MOSH.

The program maintained 16 active sites in 2014. No new VPPs were awarded in 2014; however the unit will begin the recertification process for each current site in 2015.

Cooperative Compliance Partnerships (CCP)

The Cooperative Compliance Partnership is a way for MOSH to partner with employers who are recognized for proactive safety and health programs. In 2014, MOSH continued to expand its CCP program by signing six new partnerships. This brings the program's total to 71 partnerships since its inception in 1997. Since the program began, just over \$5.5 billion of new construction has been under contract through the partnerships with injury and illness rates near zero. In 2014, there were 12 active sites with over 4,300 employees working on these sites throughout the State with no serious injuries or fatalities. The CCP unit performed over 350 inspections during 26 site visits to its active partnership sites identifying over 300 hazards. The new partnerships entered into include:

Company Name	Project Name	CCP Signing Date
KBR Building Group	Aurora at North Bethesda	1/15/2014
Fru-Con Construction, LLC	Patapsco WWTP SC 845R	9/18/2014
The Whiting-Turner Contracting Company	Holy Cross Hospital Silver Spring	4/28/2014
The Whiting-Turner Contracting Company	JHBMC Renovation	2/21/2014
The Whiting-Turner Contracting Co.	Bennett Middle School	5/27/2014
Barton Malow Company	UMMB Health Sciences Facility	12/18/2014

The CCP Unit has received multiple applications for review beginning in early 2015. Over the last decade and a half MOSH has built lasting relationships with the general contractors it partners with and is now seeing a new safety culture emerge among, not just the individual companies, but the individual employees as well.

Safety and Health Achievement Recognition Program (SHARP)

The Safety and Health Achievement Recognition Program (SHARP) recognizes small employers who operate an exemplary safety and health management system. The acceptance into SHARP by MOSH is an achievement that singles employers out among their business peers as models of worksite safety and health. The SHARP program did not award any new sites in 2014, there is one company that is currently in Pre-SHARP status. There have also been a handful of companies that have shown interest in the program and MOSH is working with these companies.

Training and Education

The MOSH Education unit provides the public with information pertaining to MOSH/OSHA laws and regulations including flyers, fact sheets, brochures, pamphlets and books to employers inquiring about compliance issues at no charge. The unit also has a video library that contains several hundred titles on safety and health issues that employers can check out to aide in their training of employees. The Education unit also maintains a comprehensive reference library with several hundred books, national consensus standards, and more for employers to research. The Education unit also provides speakers for employers and groups or associations about specific topics, as well as informational booths at safety fairs and conventions throughout the State. This unit is also responsible for teaching free public seminars on a variety of safety and health topics. A public website (<http://www.dllr.state.md.us/labor/mosh>) is maintained for employers/employees to search for regulations, publications, class schedules, and general information about MOSH.

To enhance the education unit's ability to reach as many employers and employees as possible, MOSH continued using an email marketing tool to aid in the dissemination of seminar brochures and announcements of training. The unit also sends out a quarterly e-newsletter to give OSHA/MOSH updates and safety tips that are appropriate for the time of year.

Public Presentations

The education unit continued to develop and handout its bi-annual seminar schedule. These seminars were instructed by numerous Compliance Safety and Health Officers and alliance and/or partner members. A bulk mail permit was successfully obtained to save postage costs and was used to mail over 20,000 schedules to employers throughout the year.

In 2014, MOSH held 84 educational seminars with 1,834 participants across the State from 383 different employers. Topics ranged from the OSHA 10 hour, general industry and construction, GHS, Workplace Violence, and Blood borne Pathogens. All of the seminars

provided detailed technical information and gave employers and employees the opportunity to ask questions and give scenarios without the fear of repercussion. Every educational seminar is provided free of charge to all participants and range anywhere from a half day to two days. Along with providing free educational seminars, MOSH responds to employer requests for speakers on a variety of topics. In 2014, MOSH was able to conduct 66 speaking engagements with a total of 3,984 participants.

MOSH considers teen safety among one of its highest priorities and each year several speaking engagements are held at high schools around the state. In 2014, MOSH conducted twelve speaking engagements and one educational seminar. The seminar and speaking engagements were attended by 562 high school students who would soon be entering the workforce. Information on teen safety in the workforce was handed out at the speaking engagements as well as the educational seminars. Students taught safe work practices, MOSH requirements, and the consequences of not working in a safe and healthful environment. We are attempting to find additional opportunities to engage with teens.

MOSH participates in a number of local trade shows and safety conferences every year to disseminate literature and information. These conferences and trade shows allow employers and employees to meet some of our field staff and ask questions without fear of repercussion. They also allow our staff to network with other safety professionals. In 2014, MOSH participated in 16 such events.

The Education Unit maintains an audiovisual lending library of over 400 video/DVD titles on a wide variety of safety and health-related topics in several languages. The topics range from Hazardous and Toxic Substances, Machinery and Equipment, Violence in the Workplace, to Accident Investigation. During 2014, 72 employers requested, and were loaned, a total of 120 videos/DVDs. In an effort to collect information relating to the usefulness of the training data for the audiovisuals loaned, a survey is distributed along with each video/DVD borrowed. The data from the surveys returned indicates that approximately 819 employees viewed the videos/DVDs in Maryland. The MOSH audiovisual library currently has numerous videos/DVDs that are in multiple languages, and several titles that are specifically in Spanish. Of the 120 total loaned for videos/DVDs, 37 were multi language videos or strictly Spanish.

CONSULTATION

Private Sector Consultation

Private Sector Consultation assists private sector employers, free-of-charge, to achieve voluntary compliance with MOSH laws, standards and regulations, and to improve safety, health, and ergonomic conditions in the workplace.

At the request of an employer, a consultant conducts an on-site visit of any or all of the site, as determined by the employer, which includes an opening conference, a "walk-around" survey to identify apparent hazards, including air and noise sampling when necessary, a closing conference to set a schedule for correction of hazards, and a written report.

Private Sector Consultation is separate from MOSH Compliance. No citations or penalties are issued. However, an employer is obligated to correct any imminent danger hazard immediately, and to correct all serious hazards within an agreed upon correction schedule. Highest priority is given to small, high-hazard employers. An employer may request a survey of an entire work site or a specific area of concern. It is a tremendous benefit to employers and can be used to supplement their existing program, help a company start addressing safety and health issues, or provide insight and assistance when expanding or relocating to avoid costly changes that may be overlooked in the planning stage.

In addition to on-site hazard surveys, Private Sector Consultation provides assistance through correspondence, telephone calls and meetings, safety and health program assessments, and limited formal or informal training on-site regarding conditions observed during a survey.

In 2014, the Private Sector Consultation consisted of: four full-time safety consultants; two full-time health consultants; and two new safety consultants joined the team in August. The unit was able to complete 298 initial on-site hazard surveys across the state in many different industries. Forty-nine total follow-up and training visits were also completed during 2014. Based on closing conference dates during the same period, 1,339 serious hazards and 711 other hazards were found. Over 11,000 employees were covered by the visits and over 1,668 received informal onsite training at no cost to employers.

Public Sector Consultation

MOSH Public Sector Consultation provides assistance to prevent injury and illness to state, county, and municipal employees. Upon the request of an agency representative, a MOSH consultant conducts an on-site visit following the same procedures as private sector consultation. In addition, the unit provides off-site assistance such as standards interpretation and training.

In 2014, Public Sector Consultation completed 29 initial and six follow-up on-site hazard surveys. Based on closing conference dates during the same period, 424 serious hazards and 52 other hazards were found. Over 6,000 employees were covered by the public sector consultation visits and nearly 300 received informal onsite training.

RESEARCH AND STATISTICS

The MOSH Research and Statistics Unit is responsible for developing and implementing data collection programs that generate occupational injury and illness statistics. These statistics provide a valuable tool that help guide the Maryland Occupational Safety and Health agency's surveillance efforts through the creation of a body of information that describes the nature and cause of occupational injury and disease and in identifying the most hazardous industries in the State that require outreach or intervention.

Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII)

In cooperation with the U.S. Department of Labor, Bureau of Labor Statistics (BLS), the MOSH Research and Statistics Unit, within the Maryland Division of Labor and Industry,

conducts the Survey of Occupational Injuries and Illnesses (SOII). Each year approximately 4,500 Maryland business establishments -- selected through a random statistical sampling process, participate in this survey. SOII estimates the number and frequency (incidence rates) of nonfatal workplace injuries and illnesses. The estimates are based upon injury and illness logs kept by employers throughout the year. The number of injuries and illnesses reported in any given year can be influenced by changes in the level of the State's economic activity, working conditions, work practices, worker experience, training and the number of hours worked. SOII also provides details on the demographics of the more seriously injured and ill workers (e.g., occupation, gender, race and length of service) along with the characteristics of their injuries and illnesses (e.g., nature of injury/illness, part of the body affected, event or exposure, and source of the injury/illness).

Policy makers in government and industry use the SOII data. In addition, labor organizations, manufacturers of safety equipment, academics and other researchers in the field of occupational safety and health are users of the SOII data. The U.S. Bureau of Labor Statistics includes Maryland's survey results when compiling the official national statistics. Program results are also used to establish and assess agency performance measures. Maryland employers use the SOII data to measure the effectiveness of their own safety programs by comparing individual establishment injury and illness rates to the aggregate state and national numbers for their respective industries. Federal OSHA uses the SOII to measure the effectiveness of certain MOSH activities and in measuring our overall progress toward meeting the objectives of the Occupational Safety and Health Act by assuring safe and healthful working conditions for every working man and woman through the reduction of occupational injuries and illnesses.

Nonfatal Workplace Injuries and Illnesses in Maryland for 2013

Sixty-seven thousand nonfatal work-related injuries and illnesses were reported by Maryland's public and private sector employers in 2013 according to the latest results of the Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses (SOII) program. In 2013 there were approximately 2.3 million¹ workers in the State under the Maryland Occupational Safety and Health agency's regulatory oversight, based on data derived from the Maryland Department of Labor, Licensing and Regulation's Quarterly Census of Employment and Wages program. The total number of injuries and illnesses reported represented a decrease of 1,400 cases when compared to the 2012 survey results. The number of injuries and illnesses converts to a total recordable case (TRC) incidence rate of 3.4² injuries and illnesses per 100 equivalent full-time workers. For 2013, Maryland's TRC rate for all industries, including State and local government was 3 percent below the 2013 national average of 3.5.

¹ All employment data derived from the Maryland Department of Labor, Licensing and Regulation, Office of Workforce Information and Performance, Employment and Payrolls, Industry Series, 2013.

² Incidence rates represent the number of injuries and illnesses per 100 full-time workers and are calculated as: $(N/EH) \times 200,000$ where

N = number of injuries and illnesses

EH = total hours worked by all employees during the calendar year

200,000 = base for 100 equivalent full-time workers.

Occupational Injury and Illness Summary Results for Maryland's Private Sector, 2013

Occupational injuries and illnesses among Maryland's private sector employers occurred at a rate of 3.0 cases per 100 equivalent full-time workers. The private sector's TRC incidence rate represented a slight decline from the previous year's rate of 3.1.

Ninety-six percent of the total 51,500 cases reported by private industry were injuries with the remaining 1,900, cases of occupational illness. The rate for cases of a more serious nature involving days away from work, job transfers, or restrictions, commonly referred to as the DART rate, declined slightly from the previous year to 1.5 injuries and illnesses per 100 full-time equivalent workers. Maryland's private sector injury and illness estimates cover 2 million workers.

Occupational Injury and Illness Summary Results for Maryland's Public Sector, 2013

Public sector injury and illness estimates for State and local government have been published in Maryland every year since 1979. Representing some 342,000 employees, State and local government employers reported 15,500 injuries and illnesses in 2013; one thousand fewer cases than 2012. The total recordable case incidence rate for all injuries and illnesses was 5.9 cases per 100 full-time equivalent employees. This represented a 6-percent decline over 2012. However, for the sixth consecutive year, Maryland State and local government's TRC incidence rate has remained above the national average of 5.2 injuries and illnesses for all public sector employees and for a second year, Maryland's Public Sector TRC rate remained at 13 percent above the U.S. average.

Maryland State Government

With 4,800 reported cases converting to a TRC incidence rate of 5.1 injuries and illnesses per 100 full-time equivalent workers, Maryland State government's incidence rate increased by 4 percent from the previous year. Of the total cases reported, 2,100 were severe enough to require the injured or ill worker to take at least one day off from work to recuperate.

Maryland Local Government

An estimated 10,700 new injury and illness cases were reported by Maryland's county governments and local municipalities. Collectively local government experienced a 10-percent decline from the previous year's recorded rate of 7.1 cases per 100 equivalent fulltime workers to a current rate of 6.4. For 2013, local government's rate remained above the national average by 12-percent. Local government's rate has been above the national average every year since 2009. Of the total cases reported, 4,700 were severe enough to require the injured or ill worker to take either days away from work for recuperation, a job transfer, or be assigned some type of work restriction. In 2013, approximately 242,000 workers were employed by the State's county governments and local municipalities.

Key Findings for the Maryland Survey of Occupational Injuries and Illnesses, 2013

Private Industry Estimates

- Reporting 3.0 workplace injuries and illnesses per 100 equivalent full-time workers in 2013, Maryland's private sector TRC incidence rate has shown a dramatic decline (by 72 percent) since the inception of the Annual Survey of Occupational Injuries and Illnesses in 1972.
- Private construction's TRC incidence rate remained unchanged from 2012's rate of 3.6 and is currently 5 percent below the national average for this industry sector.
- At a rate of 3.0 injuries and illnesses per 100 full-time equivalent workers, manufacturing's TRC rate remained unchanged from the previous year and was almost half the rate it was in the State in 2004. Maryland manufacturing's rate continues to remain well below the national average. For 2013, Maryland manufacturing was 25-percent below the U.S average.
- With 8,500 reported cases, goods-producing industries accounted for 17 percent of the total injury and illness cases reported by Maryland's private sector employers. Based on employment data from the Maryland Department of Labor, Licensing and Regulation, this sector accounted for slightly more than 259,000 workers or 13 percent of private sector employment. With a TRC rate of 3.4, this sector's rate remained unchanged from 2012. Maryland's good-producing sector remains well below the national average by 13 percent.

State Government Estimates

Certain industry rates within State government remained high. Some notable examples:

- Although the TRC rate for State hospitals' was 14.4 (representing a 7 percent increase over 2012), the industry's rate remained well below 17.8, reported in 2011.
- Though State government's rate for correctional institutions declined by 14 percent from the previous year, at 12.2 injuries and illnesses per 100 full-time equivalent workers the industries' rate remains 61 percent above the national average of 7.6
- At 20.1 injuries and illnesses per 100 full-time equivalent workers, State government's nursing and residential care facilities' recorded the highest rate for any industry in the State. This industry has reported the highest TRC incidence rate in Maryland for every year since 2009.

Local Government Estimates

- After four years of rate increases, local government's public elementary and secondary schools' TRC rate decreased by 15 percent to 5.0 from 5.9. Nationally, public elementary and secondary schools' reported rate was 4.7.

- Local government's water, sewage and other systems (NAICS 2213) reported a TRC rate increase from 8.2 cases in 2011, to 10.0 cases in 2012, and has increased again to 10.4 for 2013.

Background of the Survey

The Survey of Occupational Injuries and Illnesses (SOII) is a cooperative program between the State of Maryland's Department of Labor, Licensing and Regulation, Division of Labor and Industry and the U.S. Department of Labor, Bureau of Labor Statistics. SOII provides estimates of the number and frequency (incidence rates) of nonfatal occupational injuries and illnesses by industry code as defined by the 2012 North American Industry Classification System (NAICS) manual. The SOII program also provides details on the circumstances and characteristics of the more seriously injured and ill workers. These injury and illness estimates are based on safety and health logs that, by law, employers are required to keep. Occupational injury and illness statistics have been published for Maryland's private sector every year since 1972 and for State and local government from 1979 forward.

The SOII program utilizes an employer-based questionnaire to collect occupational injury and illness data. Questionnaires are mailed to a scientifically selected random sampling of businesses in Maryland. The responses are compiled, tabulated and published annually.

Statistical sampling techniques are used to produce the estimates. Because the results are based on a random sampling of establishments in the universe file (the universe is all operating in-scope establishments in Maryland's unemployment insurance tax file), the estimates probably differ from the figures that would be obtained if every establishment in the State had participated. To determine the precision of each data estimate, a standard error is calculated. The standard error defines a range (confidence interval) around each estimate. Relative standard errors are calculated for every SOII estimate produced.

The quality of the data is dependent on the employer's understanding of which cases are recordable under the Occupational Safety and Health Administration's recordkeeping regulation. Maryland State agencies and all local government municipalities and jurisdictions are required by law to keep records of occupational injuries and illnesses. Additionally, many private sector establishments are required to keep injury and illness records. In order to have a complete picture of the occupational injury and illness experience for the economy, many establishments normally exempt from OSHA's recordkeeping requirements are included in the survey. The OSHA recordkeeping system is designed to measure the incidence, rather than the prevalence, of occupational injury and illness. Prevalence measures capture all injuries and illnesses that occur in a given year including ongoing or unresolved cases from previous years. The intent of the OSHA recordkeeping system is to measure each occupational injury and illness only once. The SOII, therefore, provides estimates of the number and rate of only new injuries and illnesses in a given year.

Excluded from the SOII are the self-employed, farming operations with fewer than 11 employees, private households and federal government agencies. Occupational injury and illness data for coal, metal and nonmetal mining, and for railroad activities were provided by the U.S.

Department of Labor's Mine Safety and Health Administration and the U.S. Department of Transportation's Federal Railroad Administration, respectively.

Collecting occupational illness statistics remains a challenge with the true number and rate difficult to measure. Unlike injuries, which result from sudden, acute events that are easily observed, reported and documented, many types of occupational disease are not diagnosed until long after the initial exposure to workplace carcinogens and other toxins have taken place. It may be years before the cumulative effects of these exposures present as occupational disease and the ill employee may no longer be in the workforce. Because of this, it is believed the incidence of certain long-term, latent forms of occupational disease is understated by the SOII. The overwhelming majority of the reported illness cases are those that are easier to directly relate to the workplace such as contact dermatitis or carpal tunnel syndrome.

The Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses is the U.S. government's primary source for charting the nature and magnitude of the occupational injury and illness problem across the country.

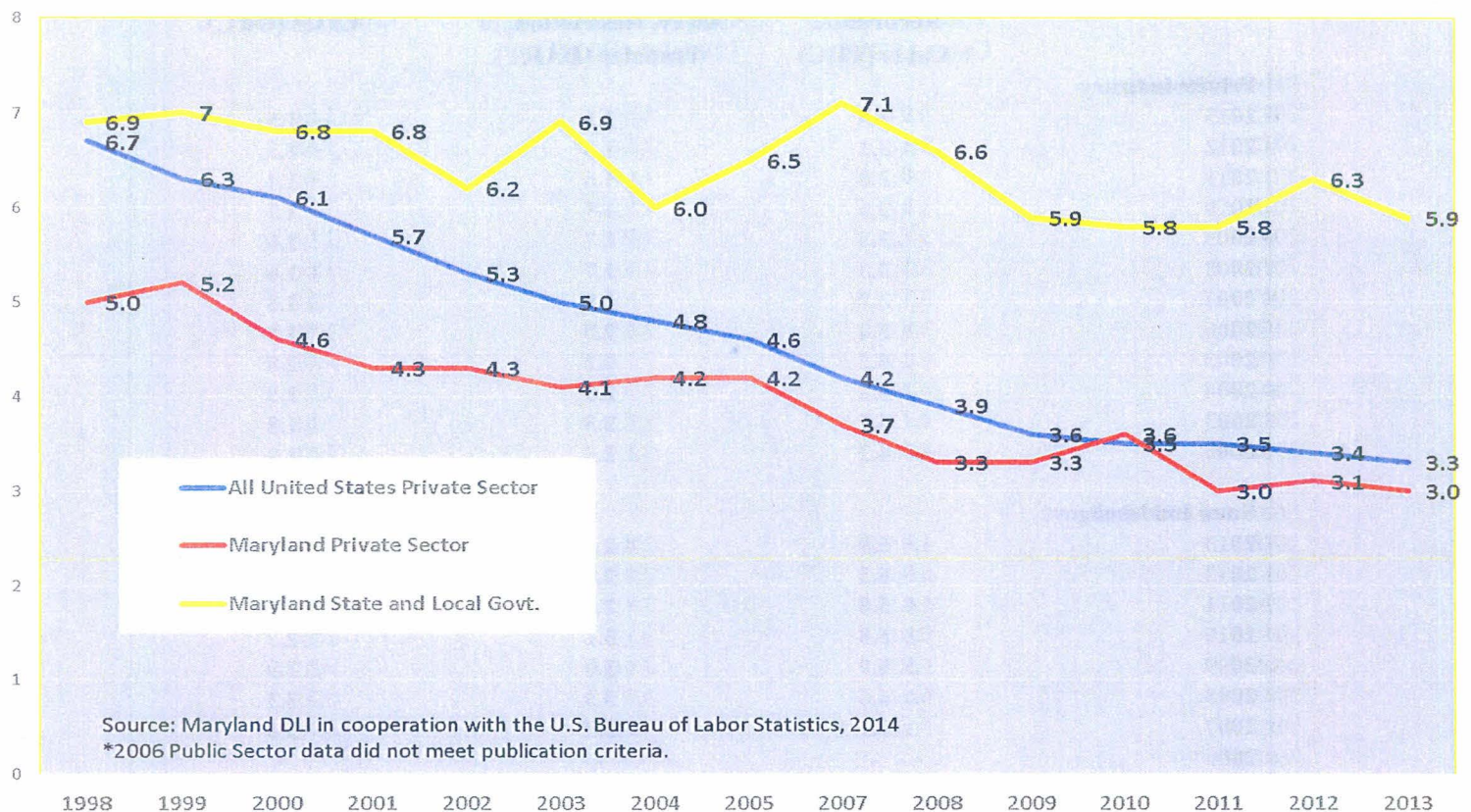
Maryland Nonfatal Incidence Rates
Survey of Occupational Injuries and Illnesses, 2002-2013

	Total Recordable Cases (TRC)	Cases with Days Away, Restriction, or Transfer (DART)	Other Recordable Cases (ORC)
Private industry			
2013	3.0	1.5	1.5
2012	3.1	1.6	1.5
2011	3.0	1.6	1.4
2010	3.6	1.9	1.7
2009	3.3	1.7	1.6
2008	3.3	1.7	1.6
2007	3.7	1.9	1.8
2006	3.8	2.0	1.8
2005	4.2	2.2	2.0
2004	4.2	2.3	1.9
2003	4.1	2.3	1.8
2002	4.3	2.4	1.9
State and local govt.			
2013	5.9	2.8	3.1
2012	6.3	2.8	3.6
2011	5.8	2.9	3.0
2010	5.8	3.1	2.7
2009	5.9	3.0	2.9
2008	6.6	3.3	3.3
2007	7.1	3.5	3.6
2006*	-	-	-
2005	6.5	2.9	3.6
2004	6.0	3.2	2.9
2003	6.9	3.9	3.0
2002	6.2	3.6	2.6
All industries including State & local govt.			
2013	3.4	1.7	1.7
2012	3.5	1.7	1.8
2011	3.4	1.8	1.6
2010	3.9	2.1	1.8
2009	3.7	1.9	1.8
2008	3.7	1.9	1.8
2007	4.1	2.1	2.1
2006*	-	-	-
2005	4.5	2.3	2.2
2004	4.5	2.4	2.1
2003	4.5	2.5	1.9
2002	4.6	2.6	2.0

SOURCE: Maryland Department of Labor, Licensing and Regulation, Division of Labor and Industry in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics, Survey of Occupational Injuries and Illnesses, 2013. Incidence rates represent the number of injuries and illnesses per 100 full-time workers.

*2006 occupational injury and illness data for State and local government did not meet publication criteria.

Total recordable case incidence rate per 100 full-time workers for all nonfatal workplace injuries and illnesses, Maryland and All United States, 1998 - 2013



Bureau of Labor Statistics' Census of Fatal Occupational Injuries (CFOI) Program

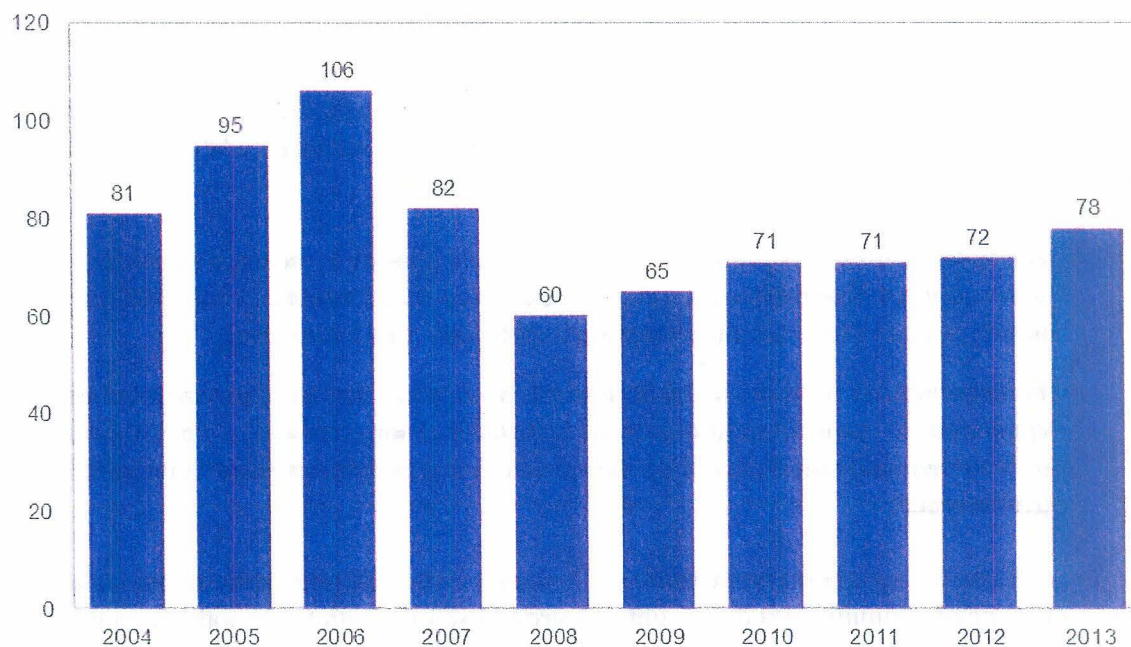
The Maryland Census of Fatal Occupational Injuries (CFOI) program collects and publishes statistics on all fatal occupationally related injuries that occur in the State of Maryland. CFOI is conducted within the Maryland Department of Labor, Licensing and Regulation, Division of Labor and Industry in cooperation with the U.S Department of Labor, Bureau of Labor Statistics.

Preliminary results for the CFOI program, Maryland, 2013

Fatal work injuries in Maryland totaled 78, according to the preliminary results. This count represented an 8 percent increase from 2012's final tally of 72. A number of these fatal events, however, were not under MOSH's jurisdiction, including cases of workplace homicide, accounting for 12 percent of the total and transportation roadway incidents, accounting for 9 percent. Fatal occupational injuries in Maryland have ranged from a high of 106 cases reported

in 2006 to a low of 60 cases reported in 2008. Final fatality numbers for Maryland, as well as the nation, will be released in April 2015.

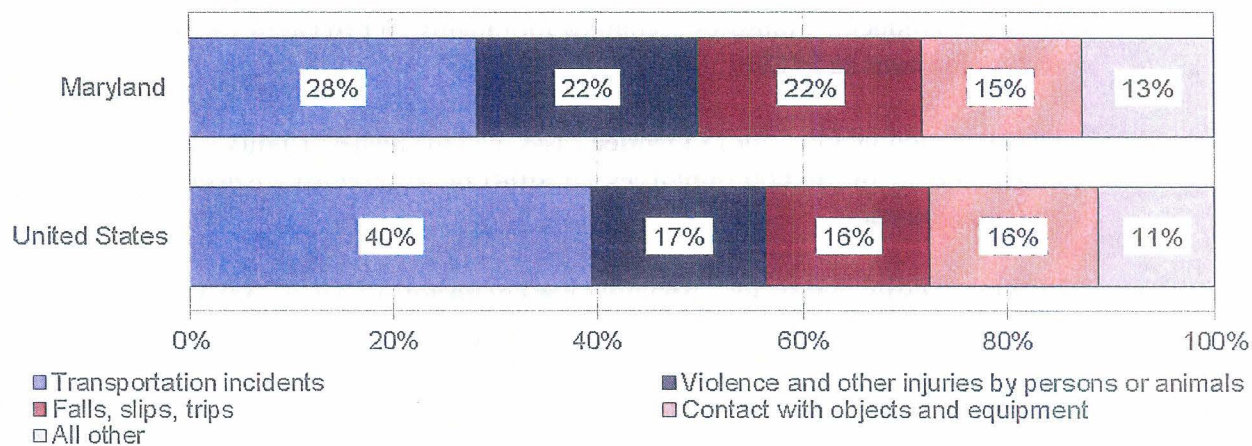
Chart 1. Total fatal occupational injuries, Maryland, 2004–2013



Note: Data for 2013 are preliminary.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, 2014.

Chart 2. Fatal occupational injuries by selected event, Maryland and the United States, 2013



Note: Totals may not add to 100 due to rounding. Data for 2013 are preliminary.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics.

Highlights from the Maryland Census of Fatal Occupational Injuries, 2013

- With 22 workplace fatalities, representing 28 percent of the total count, transportation related incidents were the leading cause of death to workers in the State of Maryland in 2013, as they have been every year since 1996.
- Half of the transportation incidents (11 cases) were pedestrian-vehicular events where the worker was struck by a vehicle either in, or on the side of the roadway. Four of these cases occurred within a construction work zone. Seven of the transportation incidents involved highway crashes between vehicles such as a when a truck driver loses control of his vehicle and crosses the line into oncoming traffic.
- Both falls, slips or trips, and violence and other injuries by persons or animals, were the second most frequently occurring events, each with 17 reported cases. Of the fatal injuries due to falls, 14 of the cases involved falls to a lower level.
- The government sector, which includes federal, state, and local government employment experienced the most fatalities in the State with 19 reported cases. Ten of the cases involved federal workers, while 8 occurred in local government and one in State government.
- Of the 8 local government fatalities, 3 workers were killed after being struck by an object or piece of equipment; two firefighters were killed, one from fire, another in a pedestrian-vehicle accident. Two officers in police protection lost their lives, one from homicide, and one from suicide. The remaining case did not meet publication criteria.
- Slightly over three-quarters of the fatalities, (59 cases) occurred in private industry with service-providing industries accounting for 59 percent (35 cases) and goods-producing industries accounting for 41 percent (24 cases). Based on Maryland DLLR employment data, goods-producing industries accounted for roughly 13 percent of the State's private sector employment in 2013.
- The construction sector, with 18 reported cases, had the highest fatality count in the private sector. With 146,000 employees, construction represented 7 percent of private sector employment.
- Within the construction sector, specialty trade contractors (NAICS 238) accounted for 10 of the work-related deaths, and of these, 7 occurred with foundation, structure, and building exterior contractors (NAICS 2381).
- Similarly with the 2013 national results, falls, slips and trips was the primary cause of death in the construction sector with 6 reported cases in Maryland; one fewer than the 7 reported in 2012.

- Men accounted for all 18 of Maryland's construction fatalities and half involved Hispanic or Latino workers.
- Fatalities in the transportation and warehousing sector (NAICS 48-49) declined by more than half from 12 reported cases in 2012 down to 5 fatalities in 2013. General freight trucking, long distance (NAICS 48412) accounted for 3 of the 5 cases. Transportation and warehousing reported 11 deaths in 2011 and 9 in 2010.
- Six workers were killed while employed in the accommodation and food services sector (NAICS 72). Of these, 5 worked in food services and drinking places (NAICS 722).
- White, non-Hispanic workers accounted for 55 percent of the fatalities in Maryland, while nationally this group accounted for 68 percent; black, non-Hispanic workers accounted for just under one-quarter of the deaths in the State, while blacks accounted for 9 percent of the nation's total. Hispanic or Latino workers accounted for 18 percent of the deaths in Maryland as well as the nation.
- Workers born in the United States accounted for 73 percent (57 cases) of Maryland's fatality count. Of the 21 workers of foreign-born descent, 43 percent came from El Salvador.
- Men accounted for 95 percent of the State's fatality count. Their proportion of the total was up from 91 percent in 2012. The primary manner in which the fatal injury occurred for men was a transportation incident with 22 cases, while violence and other injuries by persons or animals and falls, slips or trips accounted for 16 cases each.
- Based on employment status, just under 80 percent of the decedents (62 cases) worked for wages or salaries while the remaining 16 were self-employed. The most frequent manner in which a wage and salary worker was killed was a transportation incident (20 cases) while falls, slips or trips (6 cases) was the most frequent fatal event for the self-employed.
- The construction and extraction occupations had the highest number of fatalities with 17 cases. Over one-third of these fatal events were the result of falls, slips, or trips.
- Transportation and material moving occupations had the next highest count with 14 cases. Eight of these cases involved either vehicle highway crashes or workers struck by vehicles alongside, or in the road. Some of the more detailed occupations in this category were bus drivers, driver/sales workers, tractor-trailer drivers and taxi drivers.

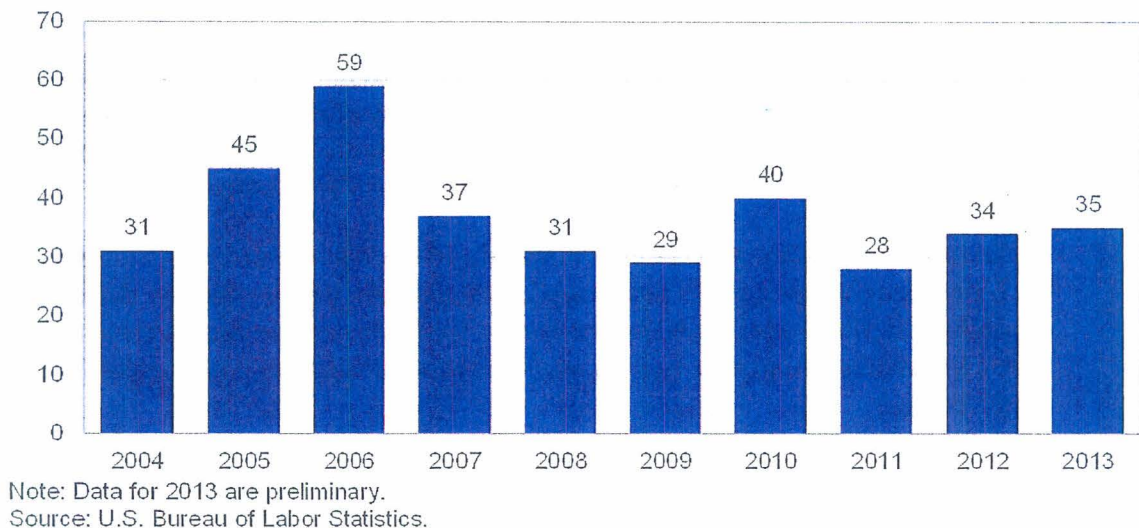
The Baltimore-Towson, Maryland Metropolitan Statistical Area

- Representing 45 percent of the State's total fatality count, 35 fatalities occurred in the Baltimore-Towson, Maryland Metropolitan Statistical Area which includes Anne

Arundel, Baltimore, Carroll, Harford, Howard, and Queen Anne's Counties, as well as Baltimore City.

- Transportation incidents and violence and other injuries by persons or animals, were the two most frequent events in the Baltimore-Towson Metropolitan Statistical Area in 2013, each with 9 reported cases. Together these two events accounted for 51 percent of the total.
- Of the 9 transportation related events, 5 cases involved pedestrian-vehicle incidents with 2 of the workers killed in construction work-zones.
- Contact with objects and equipment and falls, slips and trips were the next most frequently occurring events, both recording 6 six cases each. Contact with objects and equipment included one worker killed in an excavation or trenching cave-in; another employee caught between a rolling powered vehicle and another object; and one employee caught in running machinery during regular operation.

Chart 3, Total fatal occupational injuries, Baltimore-Towson Metro Statistical Area, 2004-2013



Scope and Program Technical Notes

The Maryland CFOI program compiles a complete accounting of all fatal work injuries occurring in Maryland during the calendar year. The program uses diverse data sources from a variety of federal, state and local government administrative records in order to substantiate and then profile fatal work injuries. CFOI includes data for all workplace fatalities regardless of whether the fatality was under the regulatory authority of the Maryland Occupational Safety and Health agency or other federal and state agencies. Therefore, any comparison between the

CFOI program's census counts and those released by other agencies or sources should take into account the different scopes of coverage and definitions being used.

For a fatality to be included in the census, the decedent must have been employed (that is working for pay, compensation, or profit) at the time of the event, engaged in a legal work activity, or present at the site of the incident as a requirement of his or her job. Fatalities to volunteers and unpaid family workers who perform the same duties and functions as paid workers are also included in the count. These criteria are generally broader than those used by State and federal agencies administering specific laws and regulations. (Fatalities that occur during a person's normal commute to or from work are excluded from the census counts.) Data presented in this release include deaths occurring in 2013 that resulted from traumatic occupational injuries. An injury is defined as any wound or damage to the body resulting from acute exposure to energy, such as heat, electricity, or impact from a crash or fall, or from the absence of such essentials as heat or oxygen, caused by a specific event or incident within a single workday or shift. Included are open wounds, intracranial and internal injuries, heatstroke, hypothermia, asphyxiation, acute poisonings resulting from short-term exposures limited to the worker's shift, suicides and homicides, and work injuries listed as underlying or contributory causes of death.

Table 1. Fatal occupational injuries by event or exposure, Maryland, 2012-2013

Event or exposure ¹	2012 ²	2013 ^p	
	Number	Number	Percent
Total	72	78	100
Violence and other injuries by persons or animals	15	17	22
Intentional injury by person	12	16	21
Homicides	5	9	12
Shooting by other person—intentional	4	6	8
Stabbing, cutting, slashing, piercing	1	1	1
Bombing, arson	-	2	3
Suicides	7	7	9
Shooting--intentional self-harm	6	3	4
Transportation incidents	24	22	28
Pedestrian vehicular incident	5	11	14
Pedestrian struck by vehicle in work zone	-	4	5
Pedestrian struck by forward-moving vehicle in work zone	-	4	5
Pedestrian struck by vehicle in roadway	3	4	5
Pedestrian struck by forward-moving vehicle in roadway	-	4	5
Pedestrian struck by vehicle on side of road	-	1	1
Pedestrian struck by forward-moving vehicle on side of road	-	1	1
Roadway incidents involving motorized land vehicle	12	7	9
Roadway collision with other vehicle	6	5	6
Roadway collision--moving in same direction	-	2	3
Roadway collision--moving in opposite directions, oncoming	-	2	3
Nonroadway incidents involving motorized land vehicle	4	4	5
Nonroadway collision with object other than vehicle	-	1	1
Part of occupant's body caught between vehicle and other object in nonroadway transport incident	-	1	1
Nonroadway noncollision incident	4	3	4
Fires and explosions	-	3	4
Fires	-	-	-
Other structural fire without collapse	-	1	1
Explosions	-	1	1

Explosion of pressure vessel, piping, or tire	-	1	1
Falls, slips, trips	14	17	22
Falls on same level	-	-	-
Fall on same level due to slipping	-	1	1
Falls to lower level	14	14	18
Fall from collapsing structure or equipment	3	1	1
Fall from collapsing structure or equipment more than 30 feet	-	1	1
Other fall to lower level	9	11	14
Other fall to lower level less than 6	-	3	4
Other fall to lower level 11 to 15	-	1	1
Other fall to lower level 16 to 20 feet	2	4	5
Other fall to lower level 21 to 25 feet	1	1	1
Other fall to lower level more than 30 feet	4	1	1
Exposure to harmful substances or environments	8	7	9
Exposure to oxygen deficiency, n.e.c.	2	2	3
Drowning, submersion, n.e.c.	2	2	3
Contact with objects and equipment	11	12	15
Struck by object or equipment	10	9	12
Struck by powered vehicle--nontransport	3	4	5
Struck by falling object or equipment	4	4	5
Caught in or compressed by equipment or objects	1	1	1
Caught in running equipment or machinery	-	1	1
Caught in running equipment or machinery during regular operation	-	1	1
Struck, caught, or crushed in collapsing structure, equipment, or material	-	2	3
Excavation or trenching cave-in	-	1	1
Struck, caught, or crushed in other collapsing structure or equipment	-	1	1

¹ Based on the BLS Occupational Injury and Illness Classification System (OIICS) 2.01 implemented for 2011 data forward.

² Data for 2012 are revised and final.

Table 2. Fatal occupational injuries by selected* industry, Maryland, 2012-2013

Industry ¹	2012 ²	2013 ²	
	Number	Number	Percent
Total	72	78	100
Private industry	64	59	76
Natural resources and mining	5	5	6
Agriculture, forestry, fishing and hunting	5	5	6
Crop production	1	3	4
Animal production	-	2	3
Construction	17	18	23
Construction	17	18	23
Construction of buildings	5	5	6
Heavy and civil engineering construction	4	2	3
Specialty trade contractors	8	10	13
Manufacturing	5	1	1
Manufacturing	5	1	1
Wood product manufacturing	-	1	1
Trade, transportation, and utilities	18	13	17
Wholesale trade	-	4	5
Merchant wholesalers, durable goods	-	3	4
Retail trade	4	4	5
Furniture and home furnishings stores	-	2	3
Miscellaneous store retailers	-	1	1
Transportation and warehousing	12	5	6

Truck transportation	7	3	4
Transit and ground passenger transportation	-	1	1
Professional and business services	9	8	10
Administrative and waste services	8	7	9
Administrative and support services	7	6	8
Leisure and hospitality	4	6	8
Accommodation and food services	3	6	8
Accommodation	-	1	1
Food services and drinking places	3	5	6
Other services, except public administration	2	6	8
Other services, except public administration	2	6	8
Repair and maintenance	-	4	5
Religious, grantmaking, civic, professional, and similar organizations	2	1	1
Government³	8	19	24
Federal government	-	10	13
State government	-	1	1
Local government	5	8	10

* For full table detail, see www.bls.gov/ro3/cfoimdtabs.htm#industry

¹ Industry data are based on the North American Industry Classification System, 2007. Total may include other industries not shown.

² Data for 2012 are revised and final.

³ Includes fatal injuries to workers employed by governmental organizations regardless of industry.

^p Data for 2013 are preliminary. Revised and final 2013 data are scheduled to be released in spring 2015.

NOTE: Totals for major categories may include subcategories not shown separately. Percentages may not add to totals because of rounding. Dashes indicate no data reported or data that do not meet publication criteria. CFOI fatality counts exclude illness-related deaths unless precipitated by an injury event.

Table 3. Fatal occupational injuries by selected* occupation, Maryland, 2012-2013

Occupation ¹	2012 ²	2013 ³	
	Number	Number	Percent
Total	72	78	100
Management occupations	6	10	13
Other management occupations	6	10	13
Farmers, ranchers, and other agricultural managers	2	5	6
Food service managers	1	2	3
Community and social services occupations	1	1	1
Religious workers	1	1	1
Clergy	1	1	1
Protective service occupations	4	7	9
Supervisors of protective service workers	-	2	3
First-line supervisors of fire fighting and prevention workers	-	1	1
Miscellaneous first-line supervisors, protective service workers	-	1	1
Fire fighting and prevention workers	-	1	1
Firefighters	-	1	1
Law enforcement workers	3	2	3
Police officers	3	2	3
Other protective service workers	1	2	3
Security guards and gaming surveillance officers	1	1	1
Miscellaneous protective service workers	-	1	1
Food preparation and serving related occupations	-	2	3
Supervisors of food preparation and serving workers	-	1	1
First-line supervisors of food preparation and serving workers	-	1	1
Cooks	-	1	1
Cooks	-	1	1
Building and grounds cleaning and maintenance occupations	10	4	5
Supervisors of building and grounds cleaning and maintenance workers	2	1	1
First-line supervisors of building and grounds cleaning and maintenance workers	2	1	1
Grounds maintenance workers	8	3	4
Grounds maintenance workers	8	3	4
Sales and related occupations	-	4	5
Supervisors of sales workers	-	2	3
First-line supervisors of sales workers	-	2	3
Retail sales workers	-	1	1
Cashiers	-	1	1
Office and administrative support occupations	4	2	3
Material recording, scheduling, dispatching, and distributing workers	3	2	3
Postal service workers	-	2	3
Construction and extraction occupations	15	17	22
Supervisors of construction and extraction workers	3	4	5
First-line supervisors of construction trades and extraction workers	3	4	5
Construction trades workers	12	10	13
Carpenters	-	3	4
Construction laborers	5	3	4
Structural iron and steel workers	-	1	1
Other construction and related workers	-	3	4
Installation, maintenance, and repair occupations	5	8	10
Electrical and electronic equipment mechanics, installers, and repairers	-	1	1
Radio and telecommunications equipment installers and repairers	-	1	1
Vehicle and mobile equipment mechanics, installers, and repairers	-	3	4
Other installation, maintenance, and repair occupations	4	4	5
Maintenance and repair workers, general	-	3	4
Miscellaneous installation, maintenance, and repair workers	-	1	1
Transportation and material moving occupations	14	14	18
Motor vehicle operators	8	9	12
Bus drivers	-	1	1
Driver/sales workers and truck drivers	6	7	9
Taxi drivers and chauffeurs	-	1	1
Material moving workers	4	5	6
Industrial truck and tractor operators	-	1	1
Laborers and material movers, hand	3	3	4
Military occupations³	-	4	5

* For full table detail, see www.bls.gov/ro3/cfoimdttables.htm#occupation

¹ Occupation data are based on the Standard Occupational Classification system, 2010. Total may include occupations not shown.

Table 4. Fatal occupational injuries by worker characteristics, Maryland, 2012-2013

Worker characteristics	2012 ¹	2013 ^P	
	Number	Number	Percent
Total	72	78	100
Employee status			
Wage and salary workers ²	52	62	79
Self-employed ³	20	16	21
Gender			
Men	66	74	95
Women	6	4	5
Age⁴			
18-19 years	2	1	1
20 to 24 years	3	7	9
25 to 34 years	14	12	15
35 to 44 years	9	19	24
45 to 54 years	15	13	17
55 to 64 years	17	21	27
65 and over	11	5	6
Race or ethnic origin⁵			
White (non-Hispanic)	37	43	55
Black or African-American (non-Hispanic)	18	18	23
Hispanic or Latino	15	14	18
Asian (non-Hispanic)	-	3	4

¹ Data for 2012 are revised and final.

² May include volunteers and workers receiving other types of compensation.

³ Includes self-employed workers, owners of unincorporated businesses and farms, paid and unpaid family workers, and may include some owners of incorporated businesses or members of partnerships.

⁴ Information may not be available for all age groups.

⁵ Persons identified as Hispanic or Latino may be of any race. The race categories shown exclude Hispanic and Latino workers.

^P Data for 2013 are preliminary. Revised and final 2013 data are scheduled to be released in spring 2015.

NOTE: Totals for major categories may include subcategories not shown separately. Percentages may not add to totals because of rounding. Dashes indicate no data reported or data that do not meet publication criteria. CFI fatality counts exclude illness-related deaths unless precipitated by an injury event.

Employers' First Report of Injury or Illness Program

Beginning July 1, 2014, Maryland Legislative Departmental Bill (SB13) repealed the requirement that employers submit to the Division of Labor and Industry paper copies of any report they provide to the Maryland Workers' Compensation Commission or the Chesapeake Employers Insurance Company. In its place, the Workers' Compensation Commission has provided the Division of Labor and Industry with electronic access to their First Report of Injury or Illness database.

This new query application, allowing on-line access to the workers compensation database, is already providing Maryland Occupational Safety and Health with an important new surveillance tool for monitoring the safety and health of Maryland's public and private workforce. Specific types or conditions of injury and illness can now be quickly queried with search results that were impossible to match with the archaic paper system of retrieval that had been in place.

Safety Inspection

The Safety Inspection program includes several diverse inspections and educational initiatives focused on ensuring the safety of the public when using or exposed to certain equipment. Working with owners, industry management and labor, the Safety Inspection program ensures that boilers, pressure vessels, elevators, escalators, amusement rides and railroads are constructed and operated in accordance with applicable State laws and regulations.

A Chief Amusement Ride Inspector, Chief Boiler Inspector, Chief Elevator Inspector, and Chief Railroad Inspector, under the guidance and direction of a Safety Inspection Program Manager, supervise the conduct of compliance inspections. Administrative support staff in Baltimore coordinates communications between industry representatives, field inspection staff, and program management. They also perform a major supporting role with respect to inspection scheduling, invoicing, and inspection certificate issuance. The focus of all these activities is the prevention of injury, death, and property loss for Maryland citizens and visitors to our State.

BOILER AND PRESSURE VESSEL SAFETY INSPECTION

The Boiler and Pressure Vessel Safety Act, *Public Safety Article, Title 12, Subtitle 9, Annotated Code of Maryland*, establishes safety standards for boiler and pressure vessel safety and requires the inspection and registration of boilers and pressure vessels used in commercial establishments and places of public gathering. Such equipment may be located in schools, places of worship, apartment buildings, day care centers, hospitals, nursing homes, office buildings, government buildings, and other places where the citizens of Maryland gather to work or play.

The Boiler and Pressure Vessel Safety Inspection unit is mandated by the General Assembly to ensure proper construction, installation, maintenance, use and repair of these boilers and pressure vessels in order to prevent injury to life, limb, and property. The unit currently includes a Chief Boiler Inspector, 11 Deputy Boiler Inspector positions, with about 30 Special Inspectors that actively conducted inspections during the year, all commissioned by the National Board of Boiler and Pressure Vessel Inspectors and the State of Maryland to conduct boiler and pressure vessel safety inspections.

Special Inspectors employed by authorized inspection agencies performed approximately 88% of the safety inspections required by the Maryland Boiler and Pressure Vessel Law. The Chief Boiler Inspector is responsible for monitoring their inspection activities. This cooperative arrangement between the State and the private sector has been in existence for over sixty years and has saved taxpayers millions of dollars.

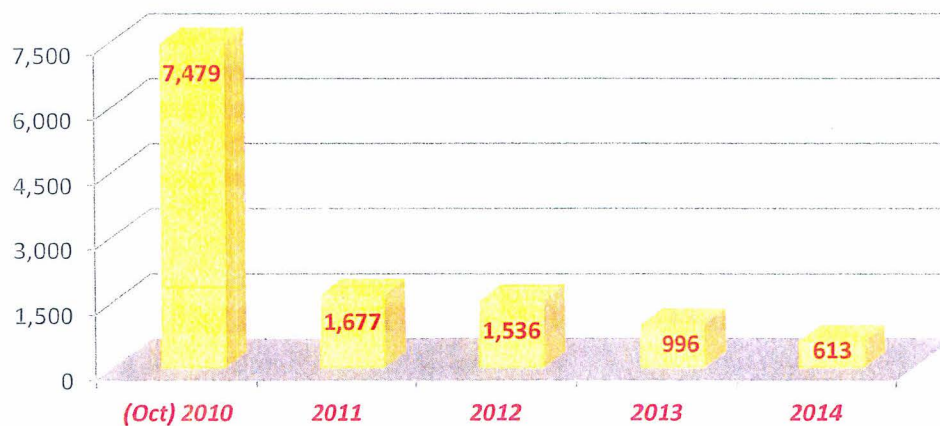
Deputy Boiler Inspectors assist the Chief Boiler Inspector in monitoring Special Inspectors, inspecting repairs to boilers and pressure vessels, registering and inspecting all new installations, in addition to performing follow-up inspections of violations to insure their correction. Deputy Boiler Inspectors also perform accident, complaint and variance investigations.

CODE	BOILER CODES	ADOPTION DATE
ASME Boiler and Pressure Vessel Code		
1974 ASME Boiler and Pressure Vessel Code		October 15, 1975
1986 ASME Boiler and Pressure Vessel Code		June 1, 1989
1989 ASME Boiler and Pressure Vessel Code		April 16, 1990
1992 ASME Boiler and Pressure Vessel Code		January 31, 1994
1995 ASME Boiler and Pressure Vessel Code		August 12, 1996
1998 ASME Boiler and Pressure Vessel Code		October 4, 1999
1999 ASME Boiler and Pressure Vessel Code		February 19, 2001
2000 ASME Boiler and Pressure Vessel Code		September 2, 2002
National Board Inspection Code - A Manual for Boiler and Pressure Vessel Inspectors		
1987 Edition		June 1, 1989
1992 Edition		January 31, 1994
1993 Addendum		July 18, 1994
1994 Addendum		July 3, 1995
1998 Edition		October 4, 1999
1998 Addendum		October 4, 1999
1999 Addendum		September 2, 2002
2001 Edition		September 29, 2003
Power Piping, ASME B31.1		
ASME B31.1 - 1992 Edition		October 11, 1993
ASME B31.1a - 1992 Addenda		January 31, 1994
ASME B31.1b - 1993 Addenda		January 15, 1996
ASME B31.1c - 1994 Addenda		January 15, 1996
ASME B31.1 - 1998 Edition		July 14, 1999
ASME B31.1a - 1999 Addenda		September 2, 2002
ASME B31.1b - 2000 Addenda		September 2, 2002
Chemical Plant and Petroleum Refinery Piping, ASME B31.3		
ASME B31.3 - 1993 Edition		October 11, 1993
ASME B31.3a - 1993 Addenda		November 20, 1994
ASME B31.3b - 1994 Addenda		July 3, 1995
ASME B31.3c - 1995 Addenda		April 22, 1996
ASME B31.3 - 1998 Edition		July 14, 1999
ASME B31.3 - 1999 Edition		July 10, 2000
ASME B31.3d - 2000 Addenda		September 2, 2002
Controls and Safety Devices for Automatically Fired Boilers		
ASME CSD-1-1992 Edition		October 11, 1993
ASME CSD-1-1993 Addenda		July 18, 1994
ASME CSD-1-1995 Edition		June 30, 1997
ASME CSD-1a-1996 Addenda		June 30, 1997
ASME CSD-1b-1996 Addenda		November 3, 1997
ASME CSD-1- 1998 Edition		July 14, 1999
ASME CSD-1a-1999 Addenda		December 12, 2002
Errata to ASME CSD-1a-1999 Addenda		December 12, 2002
NFPA 85C* Prevention of Furnace Explosions/Implosions in Multiple Burner Boiler-Furnaces, 1991 Edition		
(*now NFPA 8502)		January 31, 1991
NFPA 8501		
Single Burner Boiler Operation, 1992 Edition		January 31, 1992

All owners/users of boiler and pressure vessels are required to contract with an authorized inspection agency to have the required periodic safety inspections performed. State inspectors continue to monitor the inspections performed by Special Inspectors, monitor repairs to boilers and pressure vessels, inspect and register all new boiler and pressure vessel installations, and perform follow-up inspections of violations to ensure their correction.

For the last few years, the Boiler and Pressure Vessel Unit has successfully reduced the number of past due objects by 92%. The Boiler and Pressure Vessel Safety Act requires owners to contract with authorized inspection agencies to perform the required periodic safety inspections.

Boilers Past Due



Boiler and Pressure Vessel Inspections Conducted by Deputy Boiler Inspectors and Special Inspectors

		Deputy Inspectors	Special Inspectors
Inspections performed	33,114	4,055	29,059
Units Registered	52,584		
Accidents investigated	1		
Complaints investigated	0		
Total certificates issued	26,678		
New registrations	2,357		

The Board of Boiler Rules, whose members are appointed by the Governor, provide additional technical expertise. The Board formulates proposed regulations for the Commissioner of Labor and Industry and evaluates requests for variance from applicable regulations.

Codes and Standards used by State and Special Inspectors are as follows:

- ASME Boiler and Pressure Vessel Code
- National Board Inspection Code
- ASME B31.1 Power Piping
- ASME B31.3 Chemical Plant and Petroleum Refinery Piping
- ASME CSD-1 Controls and Safety Devices for Automatically Fired Boilers
- NFPA 85 Boiler and Combustion System Hazards

Maryland law requires that any boiler or pressure vessel installed in the State be built to the standardized American Society of Mechanical Engineers (ASME) construction code. Commissioned inspectors ensure that repairs to registered boilers and pressure vessels also are performed in accordance with State requirements. There are over 30 Maryland companies authorized to perform repairs to boilers and pressure vessels.

Both Deputy Boiler Inspectors and Special Inspectors report violations of State law and regulations to the Chief Boiler Inspector, who ensures that the equipment owner is notified of the violation in order to secure timely correction of the hazard. There were over 5,455 such violations opened this year, 1,176 of which were identified by State inspectors. Each violation reported and corrected is an accident prevented.

RAILROAD SAFETY AND HEALTH INSPECTION

Maryland's Railroad Safety and Health program was created by the General Assembly to help reduce railroad-related accidents, deaths and injuries, and damage to property throughout the State of Maryland. Established and operating since 1980, this unit is a vital supplement to the national inspection program conducted by the Federal Railroad Administration.

By law, the Federal Railroad Administration (FRA) has primary responsibility for ensuring railroad safety nationwide. FRA's traditional safety inspection program has produced substantial gains in railroad safety with real benefits for the American people. FRA designates six regional inspection areas across the United States. The states of Maryland, Delaware, Ohio, Pennsylvania, Virginia and West Virginia are designated as part of FRA Region 2. Delaware is the only state in Region 2 that does not participate in the state railroad safety program. Participating state railroad safety programs provide a vital source of associated, yet independent, compliance inspection for the citizens of their respective states.

The Maryland program monitors the safety practices of each railroad company operating in Maryland by focusing statewide compliance inspections in the current disciplines of track, operating practices, and motive power and equipment. Staff also continues to successfully work with FRA and the National Transportation Safety Board (NTSB) while investigating rail accidents that occur in Maryland.

Railroad Safety and Health monitors and assists railroad operations that are not inspected by FRA. Maryland inspectors work with private industries that ship or receive goods via rail, to promote understanding of railroad safety practices and to ensure the safety of in-plant operation of locomotives and railroad freight cars. Staff members enforce Maryland specific requirements

for track clearances, yard and walkway safety. They also work with several tourist and museum railroad operators that carry passengers, and lend their experience and knowledge to assist the Amusement Rides Safety Program in the inspection of trains and track that are used as amusement rides.

Railroad safety compliance inspections are especially important in the many areas that operate both freight and passenger services on shared use rail lines. The increasingly busy Amtrak Northeast Corridor and several CSX rail lines have shared use operations with the MARC commuter service, and these rail lines receive enhanced Maryland railroad compliance inspections.

Increased rail traffic throughout Maryland makes adequate railroad safety inspection vital and necessary. The safety and wellbeing of the general public that live, work, attend school or travel on or near railroad lines rely on safe railroad operations. Despite being small in size, Maryland's Railroad Safety and Health program provides a vital additional measure of safety for the citizens of Maryland and the traveling public. Currently the program consists of a Chief Inspector who is also the operating practices inspector, a track inspector and a motive power and equipment inspector.

Railroad Safety and Health Inspections	
Motive Power and Equipment	
Cars inspected	6,711
Locomotives inspected	463
Defects reported	913
Violations reported	6
Blue Signal observations	97
Operating Practices	
Railroad operating rules	118
Railroad operating practices	98
Radio standards and procedures	44
Rear end marking devices	14
Hours of service of railroad employees	0
Defects reported	50
Violations reported	5
Blue flag observations	8
Railroad Accident/Incident Reporting (not including trespassers)	
Fatalities	2
Injuries	1
Property Damage	2
Track	
Track miles inspected	2282
Turnouts inspected	964
Defects reported	978
Violations reported	0
Private industry inspections	125

Operating Practices

Railroad operating practices inspections cover the “human factor” element of railroad operations. A track defect or an equipment defect can be readily observed and repaired. However, behavior that increases the likelihood of an accident cannot be undone, but rather must be identified so that systems can be developed to prevent recurrence. This type of prevention often involves cultural changes for both employees and management. An Operating Practices inspector monitors the actions of railroad employees to deter unsafe behavior and promote proper safety practices.

Operating practice enforcement activities not only prevent injuries to railroad employees performing their own assignments, but also protect employees and the public from the unsafe actions of others. Some areas of responsibility include compliance inspections designed to deter drug and alcohol abuse and tampering with locomotive safety devices. Compliance inspections also monitor other railroad employee testing programs and the procedures for protection of railroad maintenance personnel in the performance of their duties.

The Railroad Safety and Health Operating Practices inspector participates in investigations which evaluate causation of fatalities, injury and property damages as related to human factor caused events.

Track Safety

A State track inspector monitors the inspections performed by each railroad company operating in Maryland to ensure compliance with federal track safety standards including regulations that provide a safe working environment for track maintenance workers. The inspector routinely identifies significant defects on tracks used to carry both passengers and hazardous materials. Tracks located near schools, residential and industrial areas and major highways must have defects and other hazards abated to avert major catastrophic events.

In addition to regulatory compliance inspections of railroads, the Maryland track inspector evaluates the safety of private industry track serviced by each railroad company. This process ensures the safety of common railroad carriers operating over the private track and increases the level of safety for the private industry employees as well as the community at large.

The Railroad Safety and Health track inspector participates in investigations which evaluate causation of fatalities, injury and property damages as related to track caused events.

Motive Power and Equipment

A motive power and equipment (MP&E) inspector monitors inspections and worker safety protection (Blue Signal Protection) as implemented by each railroad company under Federal Railroad Administration regulations. Locomotives (motive power), passenger cars and freight cars (equipment), and track maintenance equipment are the focus areas of compliance inspection. The MP&E inspector conducts independent inspections of railroad equipment including new technology equipment such as remote controlled locomotives and high-speed train sets.

The Railroad Safety and Health MP&E inspector participates in investigations which evaluate causation of fatalities, injury and property damages as related to railroad equipment caused events.

AMUSEMENT RIDE SAFETY INSPECTION

By providing for an effective inspection and enforcement program, the *Amusement Ride Safety Law, Business Regulation Article, Title 3, Annotated Code of Maryland*, ensures, as far as possible, the safety of the public in the use of amusement rides and attractions. The Law indicates that certain amusement rides or attractions may not be operated in Maryland until the Commissioner of Labor and Industry has issued a certificate of inspection. As part of the certificate application process, the owner or lessee must provide the Commissioner with a current certificate of insurance indicating liability coverage in the amount specified by law.

A certificate of inspection issued by the Commissioner for a ride or attraction in an amusement park is valid for not more than one year from the date issued. Certificates for rides and attractions at fairs and carnivals are valid for not more than 30 days. Each time certain rides or attractions are moved to a new location they must be inspected and a new certificate issued before operation begins.

Owners of inflatable amusement attractions are required to register their attractions each year with the Commissioner of Labor and Industry and provide proof of general liability insurance. Inflatable amusement attractions over four feet are subject to annual inspection.

The Amusement Ride Safety Law prohibits “bungee jumping operations” in Maryland. The General Assembly moved to prohibit this activity in response to research, investigation and several catastrophic events. The law provides for criminal penalties for any person violating its provisions.

Amusement Ride Safety Inspections	
Accidents investigated	1
Complaints investigated	17
Certificate Inspections	4,879
Other Inspections (Strip-Downs, Preliminary, Assists)	1,675
Total Inspections Performed	6,554
Number of Rides Registered in 2014: 4,291	

The Amusement Ride Safety Inspection Unit includes a staff of 9 field inspector positions statewide including one supervisor position.

In 2014, the Amusement Ride Safety Inspection Unit responded to 1,857 inspection requests from 302 different amusement companies. Five thousand, one hundred and twenty-five (5,125) inspections were performed where a certificate of operation was issued. Not all

inspections result in a certificate being issued (Strip-Downs, Preliminary), and some devices may not have been inspected for various reasons, including mechanical malfunction, weather related cancellations, inaccurate information in the inspection request, or customer failure to register their equipment with the State, which is a requirement under COMAR 09.12.62.

A nine-member Amusement Ride Safety Advisory Board appointed by the Governor advises, consults with, and makes recommendations to the Commissioner for the prevention of conditions on amusement rides and attractions that may be detrimental to public safety.

The Safety Inspection program makes a concerted effort to increase public awareness by disseminating copies of the law and regulations, and keeping the public informed about availability of the laws and regulations on-line.

ELEVATOR SAFETY INSPECTION

The Commissioner of Labor and Industry is responsible for ensuring that the required safety inspections are performed on all elevators, dumbwaiters, escalators and moving walks operating throughout Maryland, pursuant to *Public Safety Article, Title 12, Subtitle 8 Elevator Safety*. Inspections are conducted by State inspectors and authorized third party inspectors in accordance with the nationally recognized American Society of Mechanical Engineers Safety Code for Elevators and Escalators.

The Commissioner may grant an exception from the requirements of applicable codes when necessary to prevent undue hardship or where existing conditions prevent practical compliance. With proper documentation and where reasonable safety can be secured, the Commissioner considers applications for variance on a case-by-case basis.

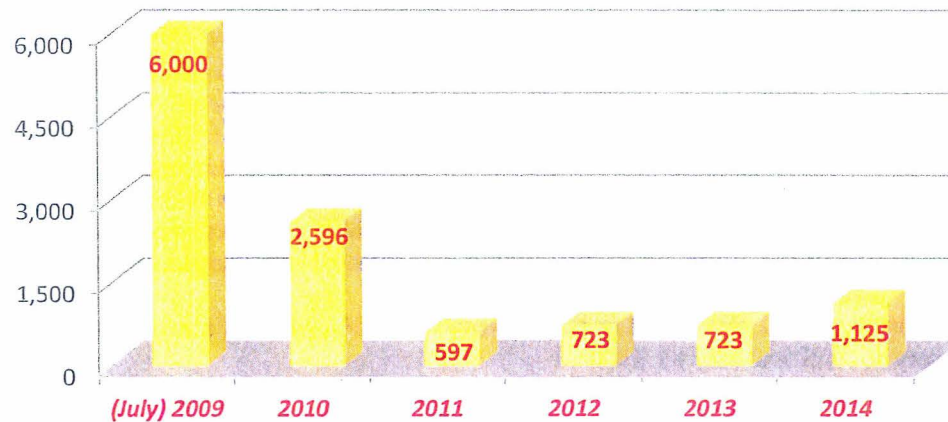
The Elevator Safety Inspection unit includes a Chief Elevator Inspector and two regional supervisors who coordinate, train and supervise a staff of 22 field inspector positions statewide, 3 of which were vacant at the end of 2014.

The Elevator Safety Act requires owners of elevator units operating in Maryland to contract with an authorized third party inspector to perform the required annual safety inspections. An authorized inspector must hold a valid Qualified Elevator Inspector certification by a nationally recognized safety organization accredited by the National Commission for Certifying Agencies or the American National Standards Institute, maintain professional liability insurance and be approved by the Commissioner of Labor and Industry. State inspectors continue to perform annual inspections on elevator units owned by the State or a political subdivision, perform final acceptance inspections for all new elevator unit installations, witness all five year comprehensive inspections and conduct accident and complaint investigations.

During 2014, there were an average of 77 Third Party Qualified Elevator Inspectors (TPQEI) monthly assisting Maryland owners in keeping their elevators, escalators, and lifts safe. The joint effort between State and TPQEI inspectors, which began in July 2009, has had a positive impact on the number of overdue units in Maryland.

Since this joint effort took place, the Elevator Safety Unit has successfully reduced the number of past due elevator units by 88%. Since 2009 the Elevator Safety Act has required owners to contract with authorized third party inspector to perform the required periodic safety inspections.

Elevators Past Due



State inspectors continue to perform final acceptance inspections on new and altered elevator units, accident and complaint investigations, comprehensive five year inspections, follow-up inspections to confirm corrective action, quality control monitoring of inspections conducted by third party qualified elevator inspectors and annual safety inspections on publicly owned elevator units.

Elevator Safety Inspections	
Accidents/Incidents investigated	5
Complaints investigated	27
Units sealed out of service	1,224
• Active/Sealed	160
• Inactive/Sealed	1,064
Elevators Registered	22,805
Annual Certificates Issued	16,313
Inspections conducted by State inspectors	8,349
Inspections conducted by TPQEI inspectors	20,749
Final Inspections (new units/alterations/hoists)	773
Annual Inspections	24,792
Other Inspections (Tests, Re-Inspections, 3 rd party monitoring)	3,533
Total Inspections Performed	29,098

ELEVATOR CODES

Date Elevator Installed	Applicable Code
Installation before July 1, 1955 with no major alteration before January 1, 1975.	No code applicable. Under <i>Article 89, Section 49B(d), Annotated Code of Maryland</i> , each elevator installed before July 1, 1955 must be equipped with standard hoistway entrance protection, and passenger elevators of more than 100 feet per minute speed must have car doors or gates (ANSI A17.1-1971 and Supplements). Elevators must be maintained in safe operating condition so as not to create a substantial probability of serious physical harm or death, and are subject to inspection and tests.
Installation before July 1, 1955, with major alteration between January 1, 1975 and July 13, 1979	ANSI A17.1-1971 and Supplements
Installation from July 1, 1955 to July 13, 1979	ANSI A17.1-1971 and Supplements
Installation or major alteration from July 13, 1979 to September 1, 1982	ANSI A17.1-1978 and Supplements
Installation or major alteration after September 1, 1982	ANSI/ASME A17.1-1981 and Supplements as noted on the next page
Installation or major alteration from September 26, 1986 to January 26, 1987*	ANSI/ASME A17.1-1984 excluding Parts V, X, XX AND XXI
Installation or major alteration after January 26, 1987*	ANSI/ASME A17.1-1984 and Supplements as noted on the next page
Installation or major alteration after July 16, 1988	ASME/ANSI A17.1-1987 and Supplements as noted on the next page
Installation or major alteration after October 14, 1991	ASME A17.1-1990 excluding Parts V, XXI, and XXIII, with amendments and Supplements as noted below and on the next page
Installation or major alteration after July 18, 1994	ASME A17.1-1993 with amendments and Errata and Supplement as noted on the next page**
Installation or major alteration after April 6, 1998	ASME A17.1-1996 with amendments and Errata and Supplements as noted on the next page

Supplements

Installation or major alteration after November 1, 1983	ANSI/ASME A17.1a-1982 with amendments
Installation or major alteration after December 17, 1984	ANSI/ASME A17.1b-1983 with amendments, excluding Part XX
Installation or major alteration after January 28, 1985	ANSI/ASME A17.1b-1983, Part XX, with amendments
Installation or major alteration from September 26, 1986 to January 26, 1987*	ANSI/ASME A17.1b-1983 with amendments to Rule 211.3A
Installation or major alteration after February 26, 1987*	ANSI/ASME A17.1a-1985, A17.1b-1985, and A17.1c-1986
Installation or major alteration after May 30, 1987	ANSI/ASME A17.1d-1986
Installation or major alteration after October 29, 1987	ANSI/ASME A17.1e-1987
Installation or major alteration after May 16, 1989	ASME/ANSI A17.1a-1988
Installation or major alteration after May 31, 1990	ASME/ANSI A17.1b-1989
Installation or major alteration after August 29, 1992	ASME A17.1a-1991
Installation or major alteration after July 5, 1993	ASME A17.1b-1992, with Errata
Installation or major alteration after August 28, 1995	ASME A17.1a-1994 Addenda, excluding Part V
Installation or major alteration after December 28, 1998	ASME A17.1a-1997
Installation or major alteration after October 4, 1999	ASME A17.1b-1998
Installation or major alteration after April 1, 2002	ASME A17.1c-1999, A17.1d-2000, A18.1-1999
Installation or major alteration after April 28, 2003	ASME A17.1-2000
Installation or major alteration after September 29, 2003	ASME A17.1a-2002
Installation or major alteration after March 15, 2005	ASME A17.1b-2003
Installation or major alteration after April 7, 2008	ASME A17.1 2004, A17.1 2005 (1a), (1s)
Installation or major alteration after November 16, 2009	ASME A17.1 2007

Installation or major alteration after December 26, 2011	ASME A17.1 2008(1a) 2009(1b)
Installation or major alteration after July 8, 2013	ASME A17.1 2010
Installation or major alteration after April 21, 2014	ASME A17.1 2013

*NOTE: The Commissioner of Labor and Industry took emergency action to adopt temporarily ANSI/ASME A17.1-1984 and its Supplements A17.1a-1985, A17.1b-1985, and A17.1c-1986 with amendments. After the issuance of an Opinion of the Attorney General on December 12, 1986, the Commissioner adopted the A17.1-1984 Code and Supplements. Until the amendment of the Elevator Safety law, the effective dates of the ANSI Safety Code and Supplements were those established by ANSI.

** Amendment to ASME A17.1-1993: Rules 802.3a and 802.3f were amended by Emergency Action effective from April 25, 1996 to October 25, 1996. The amendments subsequently were adopted, effective November 11, 1996.

Boards, Councils and Committees

APPRENTICESHIP AND TRAINING COUNCIL

The Maryland Apprenticeship and Training Council (MATC) was established to determine the apprentice ability of trades in the State of Maryland. The MATC consists of 12 members who serve for a period of four years and are appointed by the Governor of Maryland with the advice of the Secretary and with the advice and consent of the Senate of Maryland. The appointed members consist of four members of employee organizations, one employee, five employers, and two appointed from the general public. One member is appointed Chairman by the Governor upon the advice of the Secretary. The Assistant State Superintendent, Division of Career and College Readiness, Maryland State Department of Education and the Maryland State Director of the Bureau of Apprenticeship and Training, U.S. Department of Labor, serve as consultants to the MATC and do not vote. The Governor may appoint three additional consultants from the public at large with the advice of the Secretary.

The MATC formulates and adopts standards and policies which safeguard the welfare of apprentices, registers apprenticeship agreements, issues certificates to registered apprentices upon the completion of an apprenticeship, and perform other functions as deemed necessary by the Governor or the Secretary within the scope of the MATC. The MATC prescribes its rules of procedure and duties of the Chairman, Director and Secretary subject to the provisions of the law. The MATC reserves the right to suspend or revoke its approval of a program after notice and hearing if the program has ceased to meet the conditions of approval.

AMUSEMENT RIDE SAFETY ADVISORY BOARD

The Amusement Ride Safety Advisory Board consists of nine members appointed by the Governor for a four-year term, with the advice and consent of the Senate. The Governor designates one of the public members as chairman. The Board advises, consults with and makes recommendations to the Commissioner of Labor and Industry, and proposes regulations and standards for the prevention of conditions detrimental to the public in the use of amusement rides and attractions. The Board holds public hearings and reports findings to the Commissioner as necessary for the protection and safety of the public.

BOARD OF BOILER RULES

The Board of Boiler Rules is composed of nine members appointed for a four-year term by the Governor with the advice of the Secretary of Labor, Licensing and Regulation, and with the advice and consent of the Senate. The Board formulates and recommends to the Commissioner of Labor and Industry definitions and regulations for the safe construction, use, installation, maintenance, repair and inspection of boilers and pressure vessels in Maryland. All regulations conform as nearly as possible to the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers and to the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors.

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

The Maryland Occupational Safety and Health Advisory Board consists of 11 members, each of whom is appointed for a six-year term by the Commissioner of Labor and Industry with the approval of the Secretary of Labor, Licensing and Regulation. The Commissioner designates one of the public members as chairman. The selection of members is based on their experience and competence in the field of occupational safety and health.

The Board advises, consults with, makes recommendations and proposes regulations and standards to the Commissioner for the prevention of conditions detrimental to the safety and health of employees in every place of employment in Maryland.

SPECIAL ADVISORY COMMITTEE ON ELEVATORS

The Special Advisory Committee on Elevators is a six-member committee appointed by the Commissioner of Labor and Industry to provide the Commissioner with expertise, knowledge, and technical data on elevators, dumbwaiters, escalators and moving walks. Members include representatives of State agencies, elevator contractors, labor and the public. The Committee assists the Commissioner in the formulation of regulations and standards for elevators, dumbwaiters, escalators and moving walks.

Electronic Publications

Laws and Regulations

- Amusement Ride Safety Law and Regulations
- Boiler and Pressure Vessel Safety Act and Regulations
- Elevators, Dumbwaiters, Escalators and Moving Walks and Smoking on Elevators Law and Regulations
- Employment of Minors Law
- Equal Pay for Equal Work Law
- Farm Labor Contractors Law and Regulations
- Lie Detector Tests Law
- Maryland Apprenticeship and Training Law and Regulations
- Maryland Employment Agency Act and Regulations
- Maryland Occupational Safety and Health Act and Regulation
- Maryland's Living Wage Law
- Maryland's Prevailing Wage Law
- Medical Questions Law
- OSHA Standards with Maryland Amendments
 - Cranes and Derricks (29 CFR 1926.500)
 - Excavations (29 CFR 1926, Subpart P)
 - Lead in Construction (29 CFR 1926.62)
 - Permit Required Confined Spaces (29 CFR 1910.146) – *amendment only*
- Prevailing Wage--Contracts for Public Works Law and Regulations
- Railroad Safety and Health Act and Regulations
- Wage and Hour Law and Regulations
- Wage Payment and Collection Law

Occupational Safety and Health

- Access to Information about Hazardous and Toxic Substances
- Bloodborne Pathogens Exposure Control Plan
- Carbon Monoxide
 - Carbon Monoxide Poisoning
 - Occupational Health Hazard Fact Sheet
- Developing a Workplace Safety and Health Program
- Electrical Safety
 - Danger: Overhead Electric Lines
 - Ground Fault Protection on Construction Sites
 - If You Don't Become an Inspector (power tools)
- Excavation Safety Guidelines
- Fall Protection

- Fall Protection in Construction
 - Stairways and Ladders
- First Aid: Guidelines for Basic First Aid Training Programs
- Hazardous Waste Operations and Emergency Response
- Hearing Conservation
- Heat Stress
 - Fact Sheet for Workers
 - Protecting Workers from Hot Environments
 - Poster
- Indoor Air Quality
 - MOSH Booklet
 - Prohibition on Smoking in an Enclosed Workplace
 - Smoking - Compliance Guidelines for the Hospitality Industry
- Lead Fact Sheets
 - Employee Lead in Construction
 - Engineering Controls
 - Housekeeping and Personal Hygiene Practices
 - Lead in Construction
 - Lead in Radiator Repair Facilities
 - Protective Clothing
 - Respiratory Protection
 - Worker Protection Programs
- Machinery and Equipment
 - Machine Safeguarding
 - Sling Safety
- Maryland Fatal Facts (1 - 11)
- MOSH Audiovisual Catalog
- MOSH Closing Conference Guide
- MOSH Consultation Services
- MOSH Ergonomic Services
- MOSH for Employees
- MOSH Posters for Private and Public Sectors
- MOSH Self-Inspection Checklist for Construction
- MOSH Self-Inspection Checklist for General Industry
- MOSH Seminars
- MOSH-Specific Requirements
- MOSH Training and Education
- MOSH Voluntary Protection Program
- OSHA Injuries and Illnesses Log and Supplementary Record
- OSHA Standards - How to Obtain Copies
- Personal Protective Equipment
- Process Safety Management
- Respiratory Protection
- Scaffolding: A Guide to Scaffolding in the Construction Industry

- Silica
 - Occupational Health Hazards
 - A Guide to Working Safety with Silica
 - Tips for Preventing Silicosis
- This is MOSH
- Underground Construction (Tunneling)
- Video Display Terminals
- Workplace Violence
 - Health Care and Social Service Workers
 - Late Night Establishments

Miscellaneous

- Amusement Ride Safety Revolves Around You (safety brochure)
- Annual Report of the Division of Labor and Industry
- Building the Future - Your Way (Apprenticeship and Training videotape)
- Do's and Don'ts of Heating Pressure Boiler Operations
- Do's and Don'ts of High Pressure Boiler Operations
- Do's and Don'ts of Compressed Air Storage Tank Operations
- Do's and Don'ts of Hot Water Heater Safety
- Employment of Minors Fact Sheet
- Manual for Issuing Officers of Work Permits
- Maryland Farm Labor Contractors: Responsibilities of Growers and Crewleaders
- Maryland Guide to Wage Payment and Employment Standards
- Maryland is Training For Tomorrow (Apprenticeship and Training)
- Operation Lifesaver - Safety at Highway Railway Crossings
- Putting it all Together (Apprenticeship and Training)
- Steps to Safety on Escalators
- Wage and Hour Fact Sheet

APPENDIX

OCCUPATIONAL DISEASE SURVEILLANCE IN MARYLAND 2014 REPORT

Pursuant to the Environment Article, Section 6-702, *Annotated Code of Maryland*: a physician who believes that a patient under the physician's care has an occupational disease shall submit a report to the Secretary of the Maryland Department of the Environment (MDE). The report shall state the patient's name, address, occupation, and place of employment; identify the suspected disease; and contain any other information that the Secretary requires. The Secretary shall give the information received under this section to the Commissioner of Labor and Industry.

The Maryland Department of the Environment carries out occupational disease surveillance in Maryland. The Commissioner of Labor and Industry was informed that no report is available for 2014.

NOTICE OF EXCESSIVE SAFETY VIOLATIONS

Consistent with the requirements of Section 9-312(b) of the Labor and Employment Article, *Annotated Code of Maryland*, the Workers' Compensation Commission did not refer any notice of excessive safety violations to the Commissioner.

ENFORCEMENT EFFORTS TO ELIMINATE ENVIRONMENTAL TOBACCO SMOKE IN THE WORKPLACE

Consistent with the requirements of Section 5-608(a) of the Labor and Employment Article, *Annotated Code of Maryland*, individuals may not smoke in an indoor place of employment. The Clean Indoor Air Act (CIAA) was signed into law on May 17, 2007. For almost twenty years prior to this date, the Commissioner, through the Maryland Occupational Safety and Health (MOSH) Program, had adopted and enforced a rule that generally prohibited smoking in most indoor places of employment, except in designated tobacco stores, restaurant bar areas, and licensed bars.

Under the CIAA, regulatory authority is vested with the Department of Health and Mental Hygiene (DHMH) for public areas, and DLLR, for workplace areas not generally open to the public. DLLR and DHMH have established operational agreements and work jointly to enforce this law, including sharing of information related to compliance activity. MOSH issues letters of reprimand in an attempt to control the behavior in establishments reported to be in violation.