

December 23, 2021

The Honorable Bill Ferguson
President of the Senate
State House, H-107
Annapolis, MD 21401-1991

The Honorable Adrienne A. Jones
Speaker of the House
State House, H-101
Annapolis, MD 21401-1991

RE: Chapter 736 Section 4 of the Acts of 2021 (House Bill 581) - Maryland Occupational Safety and Health (MOSH) report on enforcement actions related to COVID-19.

Dear President Ferguson and Speaker Jones:

Chapter 736 Section 4 of the Acts of 2021 (House Bill 581) requests that Maryland Occupational Safety and Health (MOSH) report to the General Assembly on enforcement actions related to COVID-19, including (1) the number of formal and informal complaints received, (2) the number of site inspections conducted, and (3) information related to any citations issued to employers.

MOSH received many calls and questions throughout the pandemic. Most of the questions did not result in the filing of a complaint. MOSH received and responded to 485 non formal complaints and 65 formal complaints from March 1, 2020 through November 30, 2021. MOSH conducted 23 inspections related to COVID-19 between March 1, 2020 and December 1, 2021. Of those inspections, 15 were initiated as a result of a reported fatality and eight were initiated in response to a formal complaint. The majority of these inspections were of employers in the healthcare industry. The inspections resulted in 75 citations issued, 47 of which were directly related to respiratory protection and COVID-19.

MOSH also enforces its existing anti-retaliation/discrimination law, which generally protects employees from exercising rights afforded by the MOSH Act, including protecting workers during COVID-19 or at any time for exercising a right afforded under the MOSH Act.

Regarding the portion of the legislation that required MOSH to adopt an Emergency Temporary Standard (ETS), Federal OSHA released an ETS related to COVID requirements in the healthcare industry. MOSH, as is required by existing MOSH law, adopted the ETS.

If you have additional questions, please contact Andrew Fulginiti, Legislative Director, at andrew.fulginiti@maryland.gov.

Sincerely,



Matthew Helminiak
Commissioner of Labor & Industry