

December 23, 2021

The Honorable Delores Kelley
Chair, Senate Finance Committee
3 East, Miller Senate Office Bldg.
Annapolis, MD 21401-1991

The Honorable C.T. Wilson
Chair, House Economic Matters Committee
House Office Building, Room 231
Annapolis, MD 21401-1991

RE: Chapter 308 Section 2 of the Acts of 2020 (House Bill 722) - Report on agency implementation of act.

Dear Chairs Kelley and Wilson

Chapter 308 Section 2 of the Acts of 2020 (House Bill 722) requests that the Commissioner of Labor and Industry report to the Senate Finance Committee and House Economic Matters Committee on the implementation of the Act.

Pursuant to the Act, the Commissioner of Labor & Industry, in consultation with Maryland Occupational Safety and Health Advisory Board, shall develop and adopt regulations that require employers to protect employees from heat-related illness caused by heat stress. Before the Commissioner begins the process for developing and adopting the required regulations, Maryland Occupational Safety and Health (MOSH) is required to hold four informational hearings in different geographical areas of the state to obtain input from interested parties. As the COVID-19 pandemic emergency closures and prohibitions against large gatherings were lifted, the meetings were scheduled and held. Notice was posted on the MOSH and Eventbrite websites starting on August 2, 2021, and there were 338 page views of the posted notice. Notice of the required four hearings was also posted in the Maryland Register in the August 13, August 27 and September 10 publications. The first session was held at the public library in Easton on September 14, 2021. The others were held at a community center in Laurel on September 16, at the public library in Hagerstown on September 20, and at the MOSH office in Hunt Valley on September 22, 2021. In order to maximize the opportunity for input, the Hunt Valley meeting was also hosted online, and comments could be made virtually.

A dedicated email address was set up to gather additional input through written submission, and individuals who testified in person were encouraged to submit any additional comments or documentation as well. To date, in addition to the verbal testimony provided during the regional hearings, there has been a total of 209 pages of written testimony submitted for consideration. Interested parties are still able to submit written testimony at dli.regulations@maryland.gov

The Act also requires the Commissioner to consider standards created by the National Institute for Occupational Safety and Health, the American Conference of Governmental Industrial Hygienists, and the American National Standards Institute (ANSI). ANSI has established a subcommittee of the A10 Committee for Construction and Demolition Operations to create a heat stress standard. Matthew Helminiak, the Commissioner of Labor & Industry, has been a

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member of this subcommittee since it was formed in 2020. The subcommittee meets weekly and hopes to have the standard ready for presentation to the A10 Committee in early 2022.

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

Sincerely,



Matthew Helminiak
Commissioner of Labor & Industry