

Maryland Department of Labor Division of Labor and Industry



2024 Annual Report

December 2025

December 12, 2025

The Honorable Wes Moore
Governor
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Aruna Miller
Lieutenant Governor
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable Bill Ferguson
President
Senate of Maryland
State House, H-107
Annapolis, Maryland 21401

The Honorable Adrienne Jones
Speaker
Maryland House of Delegates
State House, H-107
Annapolis, Maryland 21401

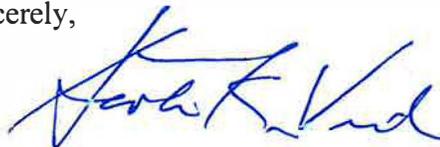
Re: Commissioner of Labor and Industry Annual Report 2024 (MSAR#861, 1937, 2350, 7583, 9829, 10416, 11925 and 15614)

Dear Governor Moore, Lieutenant Governor Miller, President Ferguson, and Speaker Jones:

Pursuant to Maryland Annotated Code, Labor and Employment Article § 2-108, et seq., requires the Commissioner of Labor and Industry to annually submit a report after January 1. The 2024 report includes information on the operations of the office of the Commissioner, an overview of new laws passed in 2024, and the operations of the units of Labor and Industry. Additional required reporting can also be found including: MSAR#861, MSAR#1937, MSAR#2350, MSAR#7583, MSAR#9829, MSAR#10416, MSAR#11925, and MSAR#15614.

For additional information regarding the report, please contact Andrew Fulginiti, Director of Legislative and Regulatory Affairs, at andrew.fulginiti@maryland.gov or (410) 230 - 6009.

Sincerely,



Devki K. Virk
Commissioner of Labor and Industry

Introduction

The mission of the Division of Labor and Industry, a Division of the Maryland Department of Labor, is to enforce and promote workers' rights, ensure safety and health standards in the workplace and for the protection of the public, and to adopt statewide building codes to provide Marylanders with safely-built structures. The Division has four principal units: Maryland Occupational Safety and Health, which regulates workplace health and safety for both public and private sector employees; the Safety Inspection Unit, which regulates elevators, boilers and pressure vessels, amusement attractions and railroads; the Wage and Labor Standards Unit, which enforces wage and hour and other worker protection laws; and the Building Codes Administration, which adopts statewide building codes.

Together, 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
- Boiler and Pressure Vessel Safety Act and Regulations
- Day of Rest – Retail and Wholesale Establishments
- Deployment Leave
- Disclosing Sexual Harassment in the Workplace Act
- Elevators, Dumbwaiters, Escalators and Moving Walks Law and Regulations
- Employment of Minors Law
- Essential Workers' Protection Act
- Equal Pay for Equal Work Law
- Farm Labor Contractor Law and Regulations
- Flexible Leave Act
- Healthy Retail Employee Law
- Healthy Working Families Act
- High Voltage Line Law
- Hiring and Promotion Preferences – Veterans of Commissioned Corps
- Industrialized Buildings and Manufactured Homes
- Interpreters
- Job Applicant Fairness Law
- Jury Service
- Lie Detector Test Law

- Living Wage Law and Regulations
- Maryland Accessibility Code
- Maryland Building Performance Standards
- Maryland Building Rehabilitation Code
- Maryland Essential Workers' Protection Act
- Mediation or Arbitration of Labor Disputes Law and Regulations
- Minimum Livability Code
- Minimum Wage for Disabled
- Medical Questions Law
- Non-Compete and Conflict of Interest Clauses
- Organ Donation
- Model Performance Code for Building Construction
- Occupational Safety and Health Act and Regulations
- Parental Leave – Birth or Adoption of a Child
- Prevailing Wage—Contracts for Public Works Law and Regulations
- Railroad Safety and Health Law and Regulations
- Safety Glazing
- Secure Maryland Wage Act
- Smoking on Public Elevators: Law and Regulations
- Tipped Employees – Payments or Deductions from Wages Prohibition
- Use of Facial Recognition Services Prohibited
- Username 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 (as of December 31, 2024). 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 2024, 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	1937 – 1938
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
Thomas J. Meighen, Commissioner	2015 – 2017
Matthew S. Helminiak, Commissioner	2017 – May 2023
Devki K. Virk, Commissioner	May 2023 – present

Serving Marylanders for 140 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 interests of the wage-workers of the State, 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; and that an enlarged market should increase...the price of wages, the distribution of wealth, and the quantity of home consumption."

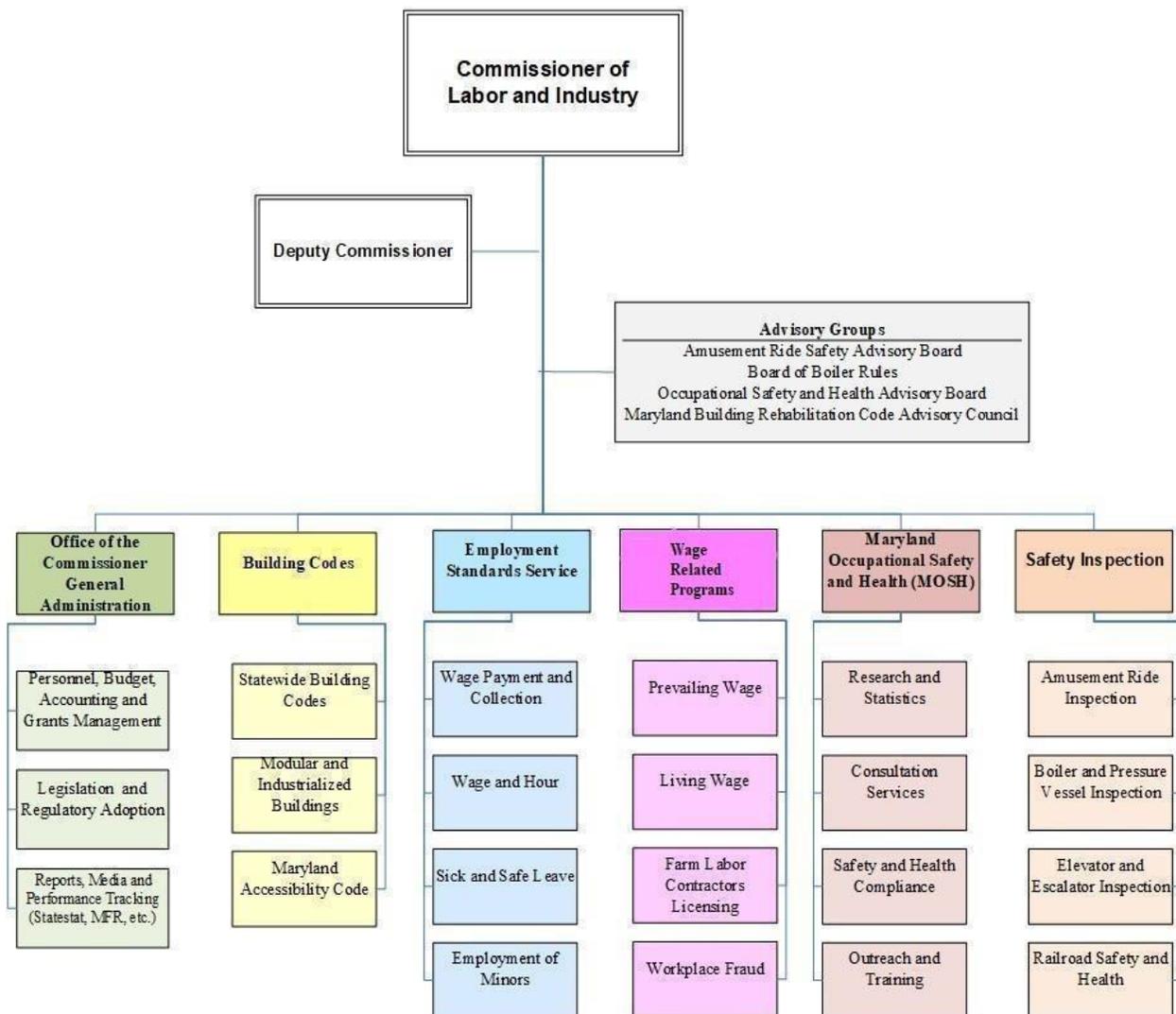
The Bureau of Industrial Statistics and Information was abolished in 1916, and the State Board of Labor and Statistics was created, operating under the direction of three commissioners.

The three main tasks of the new Board were the collection of statistics on labor, agriculture, mineral products, transportation, and commerce; the 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, until 2019 known as the Department of Labor, Licensing, and Regulation. In 2019, the Department's name was changed to simply "the Department of Labor."

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 and the safety of citizens. The Commissioner, through such diverse activities as program planning, coordination, and evaluation; legislation and regulation coordination; financial management; 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 organized labor outreach programs, conferences, and seminars. The Office of the Commissioner coordinates a staff of 228 budgeted permanent employees who provide their valuable services to the citizens of Maryland.

Administrative staff respond to public inquiries and complaints and resolve those issues that cannot be resolved satisfactorily at the program level. Issues vary from the interpretation of law, regulation, and policy for which the Division has jurisdiction to the resolution of technical issues related to the safe operation of equipment and occupational safety and health issues that 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 needed to support Board hearings for the adoption of new national codes and standards, variance requests, and the analysis of trends and data to provide alternatives and support for board 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), and the National Board of Boiler and Pressure Vessel Inspectors.

The Office of the Commissioner continues to shape and develop initiatives relating to the quality and effectiveness of the Division and holds regular meetings with program personnel to ensure that Division of Labor and Industry programs remain on track to achieve goals and objectives.

LEGISLATION IN 2024

During the 2024 Legislative Session of the Maryland General Assembly, several bills directly affecting the Division of Labor and Industry were introduced and passed.

Employment Standards, Prevailing Wage, and Living Wage – Employer Adverse Actions - Chapter 207 (HB 136) This law establishes legal protection for workers exercising their statutory rights and a uniform process for addressing claims. The law also makes frivolous filings unlawful and creates an administrative process for addressing such contentions. This supersedes anti-retaliation provisions in the Equal Pay Act, the minimum wage law (criminal provision), and the Workplace Fraud Act.

Wage Payment and Collection-Pay Stubs and Pay Statements-Required Information - Chapter 305 (SB 38) Section 3-504 of the Wage Payment and Collection Law was amended to require “written notice” at the time of hire of rate of pay, regular pay days, and leave benefits; and also requires a written pay statement for each pay period, including the employer’s name (as registered with Maryland Department of Assessments and Taxation, beginning and ending dates of pay period, date of payment, hours worked, rates of pay-listing of additional bases of pay (bonuses, commissions, piece rate, etc., amount and name of all deductions, and gross and net pay.

Labor and Employment Article – Equal Pay for Equal Work – Wage Range Transparency - Chapter 272 (Senate Bill 525) This law mandates disclosure of the wage/salary range, general description of benefits, and other compensation offered in any posting for a position. The range must be set “in good faith,” and records must be kept for at least three years. The applies to public sector employers.

Labor & Employment Article - Maryland Occupational Safety and Health Act - Civil Penalties Alterations - Chapter 104 (House Bill 244)

This law grants Maryland’s Occupational Health and Safety plan (MOSH) the ability to issue penalties up to the same amounts as the federal Occupational Safety and Health Administration (OSHA) and to follow the penalty adjustments made annually by OSHA. The law adjusts all MOSH

penalty maximum amounts (and the minimum penalty for willful violations) to be consistent with OSHA. MOSH's penalties were last adjusted by the General Assembly in 1991.

MEDIATION AND CONCILIATION

Pursuant to the Labor and Employment Article, Section 2-107(c), Annotated Code of Maryland, there is a State Mediation and Conciliation Service. Upon request for services, the Commissioner may charge a fee to cover the cost of providing those services. In 2024, there were no requests 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 2024, 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 Board of Industrial Hygiene
American National Safety Institute (ANSI)
ANSI A10. Construction and Demolition Sub-Groups
 A10.2 Safety, Health, and Environmental Training
 A10.9 Concrete & Masonry Construction
 A10.38 Basic Elements of a Program to Provide a Safe and Healthful Work Environment
 A10.47 Highway Construction Safety
American Society of Safety Engineers (ASSE)
American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE)
Board of Certified Safety Professionals
Chesapeake Regional Safety Council
Controlled Hazardous Substances Advisory Council Delmarva Safety Association
International Code Council (ICC) Sustainability Membership Council Interstate
Labor Standards Association (ILSA)
Leadership Maryland
Manufactured Housing Consensus Committee (MHCC)
Maryland Building Officials Association (MBOA)
Maryland Explosives Advisory Committee of the Fire Marshal's Office
Maryland Green Building Council Maryland Rehabilitation Advisory Council
Maryland State Bar Association - Labor & Employment Section
National Association of Elevator Safety Authorities
National Association of Government Labor Officials (NAGLO)
National Board of Boiler and Pressure Vessel Inspectors
National Fire Protection Association (NFPA)
National Transportation Safety Board (NTSB)
Occupational Safety and Health State Plan Association (OSHSPA)
Occupational Safety and Health Consultation (OSHCON)
Public Employees Safety Association of Maryland (PESA)
Public Risk Management Association (PRIMA)
State Employees Risk Management Administration (SERMA)
Voluntary Protection Program Participants' Association (VPP)

Building Codes Administration

The Building Codes Administration (BCA) within the Department of Labor oversees code administration in the State. The Model Performance Building Code was first adopted in 1971. Based on the National Building Code of the Building Officials and Code Administrators International, Inc. (BOCA), the State's Model Performance Building Code was intended by the General Assembly eventually to be adopted statewide so builders might adapt their construction practices to a single set of modern, performance-oriented standards. Compliance with that code at that time was voluntary. In 1993, mandatory standards, i.e., the Maryland Building Performance Standards, were enacted by the General Assembly. These standards were based on the most recent edition of the National Building Code issued by BOCA. They applied to all construction permits issued on or after August 1, 1995, with two exceptions. Counties or municipalities lacking any building code had to comply by 1997; those that adopted the Standard Building Code of the Southern Building Code Congress, Inc., had to comply by 1999.

In October 2001, the International Building Code (IBC), developed and published by the International Code Council (ICC), replaced the BOCA code in the Model Performance Code and Maryland Building Performance Standards. Since then, IBC has been updated on a three-year cycle, and the first printings of the latest editions of IBC are adopted into regulation within 18 months of their publication as required by Public Safety Article §12-503, Annotated Code of Maryland.

To meet local needs, local jurisdictions may amend the Maryland Building Performance Standards with certain limitations.

MODEL PERFORMANCE CODE FOR BUILDING CONSTRUCTION

The Model Performance Code (MPC) applies to industrialized (modular) and state-owned buildings (Executive Order 01.01.1992.11). The MPC references the following codes: 2021 International Building Code (IBC), 2021 International Plumbing Code (IPC), 2020 National Electrical Code (NEC), 2021 International Residential Code (IRC), 2021 International Mechanical

Code (IMC), 2021 International Energy Conservation Code (IECC), and 2012 International Green Construction Code (IgCC).

The BCA is responsible for the adoption of these individual codes on a three-year cycle and for the interpretation of codes when requested by residents, design professionals, and local jurisdictions.

MARYLAND ACCESSIBILITY CODE

The Department establishes minimum requirements that will provide for the accessibility and usability of buildings and facilities by individuals with disabilities. The Code references existing federal accessibility standards and includes additional Maryland requirements.

The BCA is responsible for the administration of this code, which includes accepting and processing waiver requests, interpretation of the Maryland portion of the code for residents, design professionals, and local jurisdictions.

MINIMUM LIVABILITY CODE

The Code was created to protect the public's health, safety, and welfare in residential structures and premises. The Code references the 2012 International Property Maintenance Code (IPMC) and is enforced by local jurisdictions.

INDUSTRIALIZED BUILDINGS AND MANUFACTURED HOMES

The BCA is responsible for the administration of the Industrialized Building Program, which is a statewide program requiring the Department's approval before the construction of all industrialized buildings to be installed in Maryland. Tasks include the processing of new/renewal applications of both manufacturers and Approved Testing Facilities; the processing of Maryland Insignia applications; reviewing building plans of proposed modular buildings and issuing approvals as required; conducting unannounced plant inspections; responding to homeowners' complaints;

and coordinating with local authorities having jurisdiction on all modular building- related issues.

Under a separate contract with the U.S. Department of Housing and Urban Development (HUD), the BCA works with HUD's Office of Manufactured Housing Program and serves as the State Administrative Agency (SAA) for the State of Maryland. The current scope of the contract is limited to processing homeowner complaints.

SAFETY GLAZING

This law provides for determinations by the Secretary of Labor as to three subjects: further requirements for standards of safety glazing material, additional glazed elements to be designated "hazardous locations," and exceptions of certain panels from the definition of "hazardous locations."

MARYLAND BUILDING PERFORMANCE STANDARDS

The Maryland Building Performance Standards (MBPS) were created to provide reasonable protection to the public against hazards to life, health, and property related to building construction. These statewide minimum codes are then implemented by the various local jurisdictions, which may make certain amendments and are responsible for enforcement of the code requirements.

MBPS incorporates, through reference, the following codes with amendments: 2021 International Building Code (IBC), 2021 International Residential Code (IRC), and 2021 International Energy Conservation Code (IECC).

The BCA is responsible for the adoption of these individual codes on a three-year cycle, maintaining an online database of locally amended and adopted codes, providing code training to employees of local authorities having jurisdiction, and assisting in the interpretation of codes when requested by residents, design professionals, and local jurisdictions.

INTERNATIONAL GREEN CONSTRUCTION CODE

The International Green Construction Code (IgCC) provides standards intended to reduce the negative impacts of the built environment on the natural environment and building occupants. The BCA is responsible for the adoption of the IgCC on a three-year cycle. Local jurisdictions may adopt and make local amendments to the IgCC.

MARYLAND BUILDING REHABILITATION CODE

The Maryland Building Rehabilitation Code (MBRC) was created to encourage the continued use or reuse of existing buildings and structures. MBRC applies to all rehabilitation projects for which a construction permit application is received by local jurisdictions, the Maryland-National Capital Park and Planning Commission, or the Washington Suburban Sanitary Commission. The MBRC incorporates by reference the 2021 International Existing Building Code (IEBC). The BCA is responsible for the adoption of the IEBC on a three-year cycle and for the interpretation of the code when requested by residents, design professionals, and local jurisdictions.

MARYLAND SWIMMING POOL AND SPA STANDARDS

The Maryland Swimming Pool and Spa Standards apply to all new and altered or repaired pools for which a construction permit application is received by local jurisdictions on or after December 31, 2023. The Standards incorporate by reference the 2021 International Swimming Pool and Spa Code (ISPSC). The BCA, in coordination with the Maryland Department of Health, is responsible for the adoption of the ISPSC on a three-year cycle, and for the interpretation of the code when requested by residents, design professionals, and local jurisdictions.

2024 Metrics

(reporting period: January 1, 2024 through December 31, 2024)

- Maryland Accessibility Code waiver request received/processed: 1/0
- Maryland Accessibility Code interpretation requests/inquiries received: 14
- Code training, number of attendees: 3,188
- Technical inquiries (number of written requests received): 225

Industrialized Building Program

- Active manufacturers/plants: 78/101
- Active Approved Testing Facilities: 9
- Renewal Fees received: \$47,500
- Maryland Insignia Fees received: \$350,250
- Funds received from U.S. HUD: \$12,987
- Number of sets of building plans received/reviewed: 638
(includes multiple reviews on plans that had deviations)
- Number of Plan Approval issued: 471
- Number of Plant Inspections conducted:

Wage and Labor Standards Enforcement

The Division of Labor and Industry administers a wide range of laws related to the wages workers earn and a variety of employment laws. In total, there are over 30 separate statutes currently under the purview of the Commissioner. Enforcement of these laws is organized under three main units.

Employment Standards Service (ESS) & Wage and Hour

Administers a multitude of industry-specific labor laws as well as Statewide wage-related laws, including but not limited to Minimum Wage, Overtime, Wage Payment and Collection, the Maryland Healthy Working Families Act (Sick and Safe Leave), Employment of Minors, the Living Wage Law, and Equal Pay (including pay range transparency).

Prevailing Wage

Administers labor standards on certain state and local public works projects.

Workplace Fraud Unit

Administers the Maryland Workplace Fraud Act, which prohibits misclassification of workers in the construction and landscaping industries.

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
Minimum Wage for the Disabled	Title 3, §4-414
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
Active Service in the Armed Forces of the United States – Renewal of Licenses; Credit or Apprenticeship	Title 3, § 3-708
Jury Service	Title 3, § 3-709
Healthy Retail Employee Act	Title 3, § 3-710
Job Applicant Fairness Act	Title 3, § 3-711
Username and Password Privacy Protection Act	Title 3, § 3-712
Payments or Deduction from Wages - Tipped Employees	Title 3, § 3-713
Hiring and Promotion Preferences - Veterans of Commissioned Corps	Title 3, § 3-714
Disclosing Sexual Harassment in the Non-Compete and Conflict of Interest Clauses Workplace Act of 2018	Title 3, § 3-715
Use of Facial Recognition Services – Prohibited	Title 3, § 3-716
Adoption Leave	Title 3, § 3-717
Flexible Leave Act	Title 3, § 3-801
Deployment Leave	Title 3, § 3-802
Workplace Fraud Act	Title 3, § 3-803
Civil Air Patrol	Title 3, Subtitle 9
Lien for Unpaid Wages	Title 3, § 3-1001
Parental Leave Act	Title 3, Subtitle 11
Healthy Working Families Act	Title 3, Subtitle 12
	Title 3, Subtitle 13

Organ Donation Leave	Title 3, Subtitle 14
Criminal Record Screening (Ban the Box)	Title 3, Subtitle 15
Secure Maryland Wage Act	Title 3, Subtitle 16
Maryland Essential Workers' Protection Act	Title 3, Subtitle 17
Farm Labor Contractors	Title 7
<i>Business Regulation Article</i>	
Employment Agencies	Title 9

Wage Payment and Collection

The Wage Payment and Collection Law requires that an employee be paid what was promised. The law imposes certain duties on an employer, including (effective October 1, 2024) an obligation to provide contemporaneous pay statements to workers listing hours, rates, and all earnings for the period, as well as the purpose and amount of all deductions, and establishes when wages must be paid upon termination of employment.

Payment and Collection/Wage and Hour Activity for: January 1, 2024 through December 31, 2024	
Complete wage claim forms received	809
Investigations completed	698
Claims and audits for which wages were recovered	587
Total wages collected	\$892,963

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 with collection.

Administrative orders are an effective tool for the wage payment and collection processes.

WAGE AND HOUR

Pursuant to the Labor and Employment Article, Title 3, Subtitle 4, *Annotated Code of Maryland*, the Wage and Hour Law requires that all covered employees be paid the specified minimum wage rate and 1 1/2 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.

EMPLOYMENT OF MINORS

Pursuant to the 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. This law also provides that if a parent or guardian of a minor elects, the Commissioner of Labor and Industry will release the name, home address, and telephone number of a minor who is at least 16 years old and has a work permit to employers and apprenticeship sponsors, educational programs and institutions, and certain local workforce development boards.

Employment of Minors Activity for: January 1, 2024 through December 31, 2024	
Work permits issued	67,234
Employment of Minor Complaints Received and Resolved	115
Special Work Permits Issued	211

The application process was modified and is now available on-line through the Labor website at

<http://www.labor.maryland.gov/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. 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, the effectiveness of the current statute is compromised because it only provides for criminal prosecution of violators even though complaints were received and violations identified. 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 experience, the minor does not suffer damage to educational enrichment.

EQUAL PAY FOR EQUAL WORK

Labor and Employment Article, Title 3, Subtitle 3, *Annotated Code of Maryland*, prohibits an employer from providing less favorable employment opportunities and from discriminating between employees in any occupation by paying a wage to employees of one sex or gender identity 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. This law also provides that an employer may not prohibit an employee from inquiring about, discussing, or disclosing the wage of the employee or another employee, or requesting that the employer provide a reason for why the employee's wages are a condition of employment; and prohibits an employer from taking any adverse employment action against an employee for inquiring about the employee's own wages. Additionally, effective October 1, 2024 this law requires an employer to affirmatively disclose the wage range, compensation, and a listing of benefits for all posted positions. It also prohibits an employer from seeking wage history information for an applicant, from screening or considering an applicant for employment, or from determining an applicant's wages based on the applicant's wage history. Under the law, the applicant is not prohibited from voluntarily sharing wage history information with an employer. An employer is prohibited from retaliating against or refusing to interview, hire, or employ an applicant because the

applicant did not provide a wage history or requested a wage range. There are civil penalties for employers with multiple violations of this provision.

Prevailing Wage—Investor-Owned Utilities

Pursuant to the Labor and Employment Article, Title 3, Subtitle 5, *Annotated Code of Maryland*, a provision in the Public Utilities Article requires the payment of prevailing wage rates for certain investor-owned underground utility projects. The enforcement of the prevailing wage requirement for investor-owned underground utility projects is through the Commissioner of Labor and Industry in accordance with the Maryland Wage Payment and Collection Act.

WHOLESALE REPRESENTATIVES

Section 3-604 of the Labor and Employment Article, *Annotated Code of Maryland*, requires each principal to pay to a sales representative all commissions that are due under a contract that is terminated within 45 days after payment would have been due if the contract had not terminated.

MEDICAL QUESTIONS

Section 3-701 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits an employer from requiring an applicant for employment to answer an oral or written question that relates to a physical, psychiatric, or psychological disability, illness, handicap, or treatment unless the disability, illness, handicap, or treatment has a direct, material, and timely relationship to the capacity or fitness of the applicant to perform the job properly.

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 national security interest.

DAY OF REST – RETAIL AND WHOLESALE ESTABLISHMENTS

Section 3-704 of the Labor and Employment Article, *Annotated Code of Maryland*, permits an employee in a retail establishment may choose, as a day of rest, Sunday or the Sabbath of the employee unless, outside Wicomico County, the employee is a managerial employee, professional employee, or part-time employee; and in Wicomico County, the employee is a managerial employee or professional employee.

An employee who chooses a day of rest shall give written notice to the employer and during employment, may change the day of rest by giving written notice of the change to the employer at least 30 days before its effective date.

PENSION PLANS

Section 3-705 of the Labor and Employment Article, *Annotated Code of Maryland*, provides that a pension plan may not reduce a payment to an individual entitled to receive the payment because Social Security payments to that individual increase.

INTERPRETERS

Section 3-707 of the Labor and Employment Article, *Annotated Code of Maryland*, provides that a deaf employee may request an interpreter for proceedings before an administrative or executive board or any similar body provided by an employer, employee organization, or union to hear employee grievances. The request must be in writing and submitted at least 5 days before the proceeding begins. The employer, employee organization, or union shall notify the deaf employee in writing of the right granted by this section as soon as it is possible or at least 8 days before the hearing begins. If an interpreter is the employer, the employee organization or union shall request the Department of Disabilities to assist in locating a qualified interpreter to assist at the hearing. The Department of Disabilities shall promptly assist in

locating an interpreter. The interpreter shall facilitate communication between the affected parties, subject to the code of ethics of the National Registry of Interpreters for the Deaf. The cost of the interpreter's services shall be divided equally between the employer and the union or employee organization.

JURY SERVICE

Section 3-709 of the Labor and Employment Article, *Annotated Code of Maryland*, provides that employee has the duties and rights set forth, with respect to jury service in a circuit court of this State, in Title 8 of the Courts Article; and with respect to jury service in a federal court, in 28 U.S.C. § 1861 et seq.

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.” It 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

Section 3-711 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits employers in Maryland from using a job applicant's 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.

USERNAME 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 username, 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 publicly available information about an employee or an applicant.

PAYMENTS OR DEDUCTION FROM WAGES – TIPPED EMPLOYEES

Section 3-713 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits an employer from requiring a tipped employee to reimburse an employer or pay an employer for a customer's charge for food or beverage if the customer leaves the employer's place of business without paying for the charges. In addition, unless otherwise provided by law, an employer is prohibited from making a deduction from an employee's wages to cover the cost of a customer's charge for food or beverage if the customer leaves the employer's place of business without paying the charge for food or beverage.

HIRING AND PROMOTION PREFERENCES – VETERANS OF COMMISSIONED CORPS

Section 3-714 of the Labor and Employment Article, *Annotated Code of Maryland*, authorizes an employer to grant a hiring and promotion preference to an eligible veteran, the spouse of an eligible veteran who has a service-connected disability, or the surviving spouse of a deceased eligible veteran. An eligible veteran is a veteran of any branch of the U.S. Armed Forces who has received an honorable discharge or a certificate of satisfactory completion of military service, including the National Guard and the military reserves. The law establishes that granting this preference does not violate any State or local Equal Employment Opportunity law.

DISCLOSING SEXUAL HARASSMENT IN THE WORKPLACE

Section 3-715 of the Labor and Employment Article, Annotated Code of Maryland, provides a provision in an employment contract, policy, or agreement that waives any substantive or procedural right or remedy to a claim that accrues in the future of sexual harassment or retaliation for reporting or asserting a right or remedy based on sexual harassment is null and void as being against the public policy of the State.

NON-COMPETE AND CONFLICT OF INTEREST CLAUSES

Section 3-716 of the Labor and Employment Article, *Annotated Code of Maryland*, provides that certain non-compete or conflict of interest provisions in employment contracts are void as against public policy. This prohibition applies to any employment contract concerning an employee who earns equal to or less than 150% of the State minimum wage. During the 2024 legislative session, the General Assembly amended Section 3-716 to additionally prohibit such provisions, with some exceptions, in employment contracts executed on or after July 1, 2025 with employees required to be licensed under the Health Occupations Article or licensed veterinary practitioners or veterinary technicians. This law does not provide for enforcement by the Commissioner of Labor and Industry.

USE OF FACIAL RECOGNITION SERVICES PROHIBITED

Section 3-717 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits an employer from using certain facial recognition services during an applicant's interview for employment unless the applicant consents by signing a waiver. It defines "facial recognition service" as "technology that analyzes facial features and is used for recognition or persistent tracking of individuals in still or video images." It also provides specific requirements for the waiver

ADOPTION LEAVE

Section 3-801 of the Labor and Employment Article, *Annotated Code of Maryland*, requires that 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.

FLEXIBLE LEAVE ACT

Section 3-802 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. This law also requires an employer to allow an employee to use earned paid leave for bereavement leave. An employee is also allowed to use bereavement leave for the death of the employee's immediate family member, including an adult child of the employee. 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.

DEPLOYMENT LEAVE

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. It also prohibits an employer from requiring an employee to use

compensatory, sick, or vacation leave when taking leave under the Act and authorizes an employer to require an employee who takes leave under the Act to submit specified proof to the employer.

CIVIL AIR PATROL

Section 3, Subtitle 10 of the Labor and Employment Article, *Annotated Code of Maryland*, prohibits an employer from discriminating against or releasing from employment an employee who has been employed for a minimum of 90 days and is a member of the Civil Air Patrol because of membership in the Civil Air Patrol. An employer may not hinder or prevent an employee who has been employed for a minimum of 90 days from performing service as part of the Maryland Wing of the Civil Air Patrol during an emergency mission if the member is entitled to leave under this subtitle.

LIEN FOR UNPAID WAGES

Section 3, Subtitle 11 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; authorizes 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, among other actions.

PARENTAL LEAVE ACT

Section 3, Subtitle 12 of the Labor and Employment Article, *Annotated Code of Maryland*, provides eligible employee is entitled to a total of 6 workweeks of unpaid parental leave during any 12-month period for the birth of a child of the employee or the placement of a child with the employee for adoption or foster care.

HEALTHY WORKING FAMILIES ACT

Section 3, Subtitle 13 of the Labor and Employment Article, *Annotated Code of Maryland*, requires all employers with employees whose primary work location is in Maryland to provide earned sick and safe leave, regardless of where the employer is located. Employers with 15 or more employees are required to provide paid, earned safe and sick leave. Employers with 14 or fewer employees are required to provide unpaid earned sick and safe leave. Certain employees are exempt from the requirements of the law. All employees whose primary work location is in Maryland are entitled to accrue sick and safe leave unless they are exempt from coverage under the law. Leave accrues at the rate of one hour for every thirty hours that an employee works. An employee is not entitled to accrue sick and safe leave during (1) a 2-week pay period in which the employee worked fewer than 24 total hours; (2) a 1-week pay period if the employee worked fewer than a combined total of 24 hours in the current and immediately preceding pay periods; or (3) a pay period in which the employee is paid twice per month and worked fewer than 26 hours in the pay period. The leave hours provided for under the law are the minimum number of hours an employee is entitled to earn and accrue. An employer may provide more leave for its employees. The Act preempts local paid sick and safe leave laws enacted on or after January 1, 2017. Only Montgomery County enacted a sick and safe leave law prior to January 1, 2017. In September 2023, the unit launched its online portal. In 2024, 120 complaints were submitted through the portal, and recovered \$17,093.98 for ten workers due to employers' violations of this act.

ORGAN DONATION

Section 3, Subtitle 14 of the Labor and Employment Article, *Annotated Code of Maryland*, provides that an employer who employs at least 15 people in Maryland would need to provide organ donation leave to eligible employees, defined as individuals who have requested that an employer provide organ donation leave and who, as of the date of the request, will have been employed by their employer for at least 12 months and worked for at least 1,250 hours during the previous 12 months. The leave would allow an eligible employee to take off up to 60 business days in any 12-month period to

serve as an organ donor and up to 30 business days in any 12-month period to serve as a bone marrow donor. The leave is unpaid. According to the provisions of the Act, to receive the leave, the employee would need to provide written physician verification that the employee is an organ or bone marrow donor and that the donation is medically necessary. The leave may not be taken concurrently with any leave taken under the Federal Family and Medical Leave Act.

CRIMINAL HISTORY SCREENING (BAN THE BOX)

Section 3, Subtitle 15 of the Labor and Employment Article, Annotated Code of Maryland, prohibits employers with 15 or more full-time employees from, directly or otherwise, requiring an applicant for employment to disclose whether the applicant has a criminal record or has had criminal accusations brought against the applicant, or conducting a criminal history records check. An “employer” under the Act is a person who acts directly or indirectly in the interest of an employer. A government unit is not an employer under the Act. The Act allows an employer to require an applicant to disclose during the first in-person interview with the applicant whether the applicant has a criminal record or has had criminal accusations brought against the applicant. An employer is not prohibited from making an inquiry or taking other actions that the employer is required to take or is expressly authorized to take by another applicable federal, state, or local law. The Act does not apply to an employer that provides programs, services, or direct care to minors or vulnerable adults. The Commissioner of Labor and Industry is authorized to conduct an investigation upon receipt of a complaint and take steps to resolve the matter informally or refer the matter to the Attorney General. The Act provides for anti-retaliation and anti-discrimination provisions for applicants and employees.

SECURE MARYLAND WAGE ACT

Section 3, Subtitle 16 of the Labor and Employment Article, *Annotated Code of Maryland*, requires an employer to pay specified wages and benefits to a covered employee. A “covered employee” is a nonexempt employee under the federal Fair Labor Standards Act (FLSA) who performs work at a “heightened security interest location,” which is defined as Baltimore-

Washington International Thurgood Marshall Airport (BWI Marshall Airport) or Pennsylvania Station in Baltimore (Penn Station), subject to specified exceptions. It does not apply to individuals employed by retail establishments, food services facilities and motor vehicle rental operations working at heightened security interest locations.

MARYLAND ESSENTIAL WORKER'S PROTECTION ACT

Section 3, Subtitle 17 of the Labor and Employment Article, *Annotated Code of Maryland*, establishes benefits and protections for essential workers during a catastrophic health emergency, and related responsibilities for each employer of an essential worker. The law requires (1) the Maryland Department of Labor (MDL) to enforce the law and adopt a specified emergency temporary standard to address the COVID-19 pandemic, and (2) the Maryland Department of Health (MDH) to adopt a template health emergency preparedness plan. The law applies prospectively and may not be applied or interpreted to require an essential employer to pay an essential worker for leave taken before the effective date of the law. The law's requirements related to an emergency temporary standard and the adoption of a template health emergency preparedness plan terminate six months from the date the COVID-19 state of emergency ends.

Wage Programs

PREVAILING WAGE - 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 \$250,000 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 25% or more of the project.

The Prevailing Wage Unit conducts a continuing program to gather current relevant wage data. The 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. A total of 952 projects reported payroll in 2024.

Prevailing Wage Activity for 2024

Payrolls received	159,673
Audits performed	164,581
Determinations issued	585
Wages recovered for employees	\$1,455,865
Liquidated damages collected for violations	\$394,029

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. Restitution from these investigations is recovered for all employees who have been underpaid and does not require a worker to file a complaint.

FARM LABOR CONTRACTORS

The Division of Labor and Industry is charged with administering the Farm Labor Contractors Law, which 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 2024	
Applications Received	0
Licenses Issued	0
Licenses Denied	0

When applications are received, the Division of Labor and Industry processes and issues licenses to qualified applicants. Since the FLC must also obtain federal registration, where appropriate, complaints are referred to the U.S. Department of Labor for investigation. No citations were issued for Farm Labor Contractors Law violations in 2024.

LIVING WAGE - 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 valued at more than \$100,000. 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.

The State Finance and Procurement Article requires the Commissioner of Labor and Industry to adjust the living wage rates each year based on the Consumer Price Index. New rates are published at the beginning of the State's fiscal year in July and become effective 90 days after the end of the state's fiscal year in June.

The law establishes two tiers of rates based on the geographic area where the work is performed or the location benefiting from the work.

The tiers and rates as of September 29, 2024, are as follows:

Tier 1—\$16.63 per hour: Anne Arundel County, Baltimore City, Baltimore, Howard, Montgomery, and Prince George's Counties.

Tier 2—\$15.00 per hour: Any county in the State not included in the Tier 1 area for each hour worked on that contract. *

*State law requires that contractors and subcontractors pay each covered employee at least the higher of the State minimum wage or the minimum Living Wage rate established for the applicable Tier area.

Maryland's minimum wage rate, established in the Labor and Employment Article, is set to increase to \$15.00 per hour on January 1, 2024. As the minimum wage rate surpasses the Tier 2 living wage rate, the Division has reached out to contractors to ensure they understand that they are required to pay the higher minimum wage or the living wage. The Division's outreach includes information on webpages and dissemination of information to procurement agencies to avoid any confusion.

Living Wage Activity for 2024

Service Contracts Received	470
Exempt & Non-Exempt Contracts as of 12/31	3839
Employees Receiving Restitution	62
Amount of Restitution Recovered	\$44,019

WORKPLACE FRAUD ACT - CONSTRUCTION AND LANDSCAPING

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 workers' compensation and unemployment insurance 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 subcontractor if they meet the proper conditions and have the proper documentation.

To ensure compliance with the WFA, the Workplace Fraud Unit (WPF) conducts compliance reviews based on complaints, referrals from other government agencies, and random selection.

Workplace Fraud Unit Activity Report 2024

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

# of and nature of complaints	6
# of investigations conducted	256
# of citations issued	26
# of informal resolutions	27
# of appeals to OAH and outcome	2 (both settlements)
# of requests for judicial review	0
# of civil penalties assessed	\$187,270
Total penalty dollar amount collected	\$ 42,397

Maryland Occupational Safety and Health

HISTORY

The Williams-Steiger Occupational Safety and Health Act (OSH Act) 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 to preserve our human resources." The Act provides that states may elect to assume responsibility for the development and enforcement of a state occupational safety and health program.

In March 1971, the Governor of Maryland 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 employed by the Federal Government or in the maritime, longshore, and mining industries in Maryland. MOSH is charged with ensuring that each employer meets its responsibility of providing each working person in the state with safe and healthy working conditions.

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

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. MOSH has a workforce of 99 dedicated State employees and operates its programs under State law with OSHA approval, matching grants, and oversight to ensure MOSH program operations are "at least as effective" as OSHA. MOSH retains the flexibility to tailor state-specific programs to address Maryland local issues and concerns.

During Calendar Year 2024, the MOSH program performed activities aligning with its current five-year strategic plan (FFY 2023-2027) with strategic goals focused on: improving workplace safety and health through compliance assistance and enforcement of occupational safety and health regulations; promoting a safety and health culture through Cooperative Partnerships, Compliance Assistance, On-Site Consultation Programs, Outreach, and Training and Education; securing public confidence through excellence in the development and delivery of MOSH programs and services, and by providing excellent customer service. MOSH issued eight Instructions that update program policies and procedures, civil penalty adjustments, and plans for targeting enforcement and outreach efforts in certain industries.

MOSH continued the promulgation of the first heat stress regulations on the East Coast, covering both indoor and outdoor workers in Maryland. Tasked by House Bill 722 passed in the Maryland 2020 Legislative Session, the MOSH Heat Stress Standards were developed to protect employees from heat-related illness and heat stress in the workplace. In 2024, MOSH hosted additional stakeholder meetings, both virtually and in-person, reviewed public comments, and finalized the rule on September 20, 2024. The regulations became effective September 30, 2024, and require employers to implement a heat illness prevention plan that provides for sufficient amounts of cool, potable water, shaded or cool areas for rest breaks, acclimatization of workers, procedures for high heat conditions, emergency response procedures, and training.

In response to significant events and to promote workplace safety and health, MOSH facilitated and participated in stakeholder engagement processes for roadway work zones, the tree care industry, fire and emergency response operations, and indoor and outdoor workplaces affected by heat stress and heat-related illness.

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. MOSH received and processed 200 MPIA requests in 2024, a 19% increase from 2023.

STAFFING

In 2024, MOSH welcomed nine new team members, including five Safety Compliance Officers, one Industrial Hygienist, and three administrative staff. Compliance Safety and Health Officer Trainees participate in a training curriculum that consists of classroom-style and field training with senior compliance officers. Topics covering the 29 CFR 1926 Construction Subparts, as well as equipment use, inspection procedures, and case writing. MOSH personnel, including veteran compliance safety and health officers, consultants, supervisors, and managers, provide the training, which includes classroom and hands-on practical instruction and evaluation. MOSH took advantage of both virtual and on-site classes offered by the OSHA Training Institute in Arlington Heights, IL, with compliance officers and consultants attending courses throughout the year. Compliance Officers and Consultants were also able to engage in internal on-the-job training with senior compliance officers in the field and attend safety and health conferences.

ENFORCEMENT

Enforcement is the largest unit within MOSH. In 2024, MOSH averaged 48 compliance officers throughout the year assigned to one of four office locations in the State - Easton, Hagerstown, Hunt Valley, and Largo. MOSH Enforcement operates seven regions (six safety and one health) that cover all geographic areas of the State. Each safety region covers a group of counties, while the health region covers the entire State.

During 2024, MOSH was able to maintain an effective enforcement program despite operational challenges, including staff turnover. Compliance officers conducted 1,141 inspections through enforcement programs, removed over 41,000 employees from hazardous conditions, and identified over 4,000 hazards. In 2024, compliance officers conducted 225 on-site investigations of formal complaints alleging hazards and investigated 29 work-related fatalities. MOSH achieved inspection outcomes equivalent to federal counterparts and ensured that identifying and removing hazards from employees in the state of Maryland remained a top priority.

MOSH compliance officers are regarded as some of the most technically diverse inspectors, able to readily identify hazards across various industries. Mandatory compliance officer training aligns with the competency-based training model for OSHA compliance personnel. The training curriculum includes initial phase courses such as Initial Compliance, Inspection Techniques and Legal Aspects, Accident Investigation, Interviewing, and Introduction to Safety and/or Health Standards. Technical courses offered range from topics such as Excavation and Trenching, Demolition, Electrical Standards, Machine Guarding, Fall Protection, Principles of Scaffolding, Industrial Noise, Respiratory Protection, and Industrial Ventilation. By attending these training courses and completing on-the-job training, compliance officers obtain the knowledge, skills, and abilities to become highly trained occupational safety and health inspectors.

Case Highlights

Francis Scott Key Bridge Removal Partnership

On March 26, 2024, at approximately 1:30 a.m., the Francis Scott Key Bridge (FSKB) in Baltimore was struck by the container ship Dali, resulting in the collapse of six spans of the bridge and six worker fatalities. The FSKB was a vital link over the Patapsco River and a heavily used thoroughfare in everyday Maryland life as part of the I-695 beltway. MOSH responded to the bridge collapse with an immediate compliance inspection, separate from the partnership, to investigate the circumstances surrounding the workers on the bridge at the time of its collapse.

The Maryland Transportation Authority (MdTA) oversaw the implementation of safety and health controls for its contractors who were responsible for the removal of bridge components. It was determined that a partnership between MOSH and MdTA would be the most effective and immediate path to ensure employee health and safety during the salvage operation. The Francis Scott Key Bridge Removal Partnership between MdTA and MOSH was signed on May 14, 2024. In forming this partnership, MOSH consulted with the Minnesota Occupational Safety and Health Administration, which provided valuable input based on its partnership agreement with the Minnesota Department of Transportation after the I-35W bridge collapse. A total of 7 partnership visits were conducted from May 16, 2024 to June 27, 2024. On-site, it was found that MdTA and its contractors had placed a large emphasis on safety and health, and the team was receptive to MOSH's guidance and input. Extensive measures to mitigate employee heat stress were employed, including providing shade canopies, fans, supplemental electrolyte packets, and ice chests full of water. A large emphasis was placed on personal protective equipment as well; cutting employees were provided a new HEPA filter for their powered air purifying respirator (PAPR) daily, and their coveralls were laundered each day. During the partnership visits, MOSH conducted personal air sampling for lead on employees who were torch-cutting bridge sections. The exposure assessment results found that all samples were above the permissible exposure limit (PEL). The APF (Assigned Protection Factors) of

the PAPRs being utilized by employees during torch cutting was found to provide substantial protection from airborne lead exposure.

MOSH worked with MdTA and contractors to ensure that the employees doing torch-cutting received blood lead testing per occupational safety and health regulations. The results of the blood lead tests revealed average blood lead levels (BLLs) less than 7 µg/dl during the project and average final BLLs of 3.2 µg/dl, both well below the threshold for medical removal. In summary, MOSH increased awareness of the lead program and its importance through various means, including direct conversations with employees and employers, attending team safety and planning meetings, and conducting personal sampling. This partnership resulted in all parties working cooperatively during the recovery and removal project by improving safety and health processes and ensuring all workers had a safe and healthful workplace.

Sheet Metal Manufacturing Facility

MOSH investigated a fatality that occurred on June 6, 2024, involving an employee being pinned between the door jamb of the side maintenance doors and the laser cutting head gantry assembly of a Bodor CNC Laser Cutting Machine, sustaining fatal arm and head injuries. Two employees were programming and prepping the CNC machine to perform metal fabrication operations when the accident occurred. Through investigation, MOSH discovered the modification and deactivation of a crucial safety device as well as the absence of a point of operation guard, which allowed the victim to access the “danger zone” through the unguarded side maintenance doors while the laser was in operation.

One of the safeguards, a safety door switch, was disabled on the main access door, allowing for the automatic shutdown safety feature to be bypassed. When functioning properly, this safeguard is designed to automatically shut down the machine if the door is opened. These safeguards, as stated in the product guide, should not be suspended, moved, modified, or removed at any time to ensure safe operation and prevent access to dangerous areas with moving parts. Furthermore, MOSH learned that the required safety devices vary by the country in which the product is sold. The standard configuration for a machine sold in the U.S. was different than one sold in the European Union (EU), indicated by a CE marking demonstrating compliance with relevant EU directives and regulations. One key difference was the requirement of a safety door switch for the side maintenance doors accessed by the employee. MOSH inspected the laser machine and found pre-cut holes designed for the installation of a safety door switch, however, the standard configuration sold in the U.S. did not require or include this safety device for this set of doors.

Additionally, during the investigation, MOSH became aware of Import Alerts issued by the U.S. Food and Drug Administration (FDA) to protect consumers. If a product is placed on an Import Alert due to a history of known violations, future shipments of the product may be detained. The manufacturer of the laser involved in the fatality was found to be listed on Import Alert #95-05. MOSH reached out to the FDA to inquire about further details and implications of the products listed. After learning about similar accidents involving Bodor laser cutting machines, MOSH connected with

representatives from the FDA and met virtually to discuss the prevention of similar accidents moving forward.

MOSH issued citations related to machine guarding, lockout/tagout, fall protection, electrical, and hazardous materials. This case emphasized the critical importance of the implementation and compliance of guarding devices to ensure that no part of an employee's body is in the "danger zone" while operating machinery.

WHISTLEBLOWER

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

Timely-filed whistleblower complaints are investigated by MOSH personnel, who recommend appropriate case dispositions to the Assistant Commissioner at the conclusion of the investigations. The Assistant Commissioner makes the final determination in the cases and notifies the complainants of the determination. When there is a merit determination in a case where resolution cannot be reached, the case is transferred to the Office of the Attorney General (OAG), as counsel to the Assistant 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.

MOSH investigated a total of 44 whistleblower complaints in Calendar Year 2024. For the meritorious discrimination complaints, MOSH collected back pay wages totaling approximately \$225,628.

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.

Outreach Program

OUTREACH TRAINING AND EDUCATION

The Maryland Occupational Safety and Health (MOSH) Program administers the MOSH Training and Education Unit, which is responsible for delivering educational resources and training to both internal and external stakeholders. This includes employers, employees, unions, trade

associations, and the general public. The Unit disseminates updated information on MOSH/OSHA laws through flyers, fact sheets, brochures, and booklets, all of which are regularly revised to ensure accuracy. Additionally, it maintains an extensive video and reference library to support workplace training and research efforts. Employers are encouraged to utilize these resources to enhance their employee training programs.

The Outreach unit also provides trained speakers for employers seeking to promote specific safety topics among their workforce. Staffed informational booths are regularly featured at safety fairs and conventions statewide, further extending outreach efforts. Additionally, the unit organizes free public seminars addressing a broad range of occupational safety and health topics in person and via webinars. A dedicated website (<http://www.labor.maryland.gov/labor/mosh>) is maintained, which offers easy access to regulations, publications, course offerings, program updates, and safety campaigns aligned with OSHA initiatives.

In 2024, MOSH completed 37 outreach speaker events, reaching over 1,830 employers and employees statewide. Presentations addressed key topics including tree care, roadway safety, construction site safety, teen safety, recordkeeping, and heat stress with continued targeted outreach to the Tree Care Industry through partnerships with local arborist associations. The unit also successfully hosted an OSHA Road Course on Accident Investigation at its headquarters in Hunt Valley to further develop its Compliance Safety and Health Officers (CSHOs).

In response to the new Heat Stress Standard effective September 30, 2024, the Unit proactively coordinated multiple educational outreach events to prepare employers and employees for compliance.

COOPERATIVE PROGRAMS

MOSH maintains several strategic partnership programs for employers that offer workplace safety and health protections to their employees above and beyond the minimum standards. Cooperative programs include the Voluntary Protection Program (VPP), Cooperative Compliance Partnerships (CCP), and Safety and Health Achievement

Recognition Program (SHARP). Companies that achieve partnership or alliance status are looked upon as leaders in safety and health. Strategic partnership programs are beneficial to the participating employers, trade associations, organizations, and MOSH because they allow us to partner together, outside the scope of traditional compliance enforcement, to ensure safe and healthful working conditions for the workers in Maryland. Each program is discussed in further detail below.

VOLUNTARY PROTECTION PROGRAM

Maryland's VPP Program is a cooperative effort by MOSH and participating employers to extend worker protection beyond the minimum required by MOSH standards. VPP recognizes the outstanding achievements of participating employers who have successfully incorporated comprehensive safety and health management plans into their total management system.

Due to reorganization and staffing challenges, no renewal inspections were completed, and no new sites were added to the Voluntary Protection Program in 2024. In an effort to advance VPP, two MOSH employees received VPP training in 2024, and several recertification visits are planned for 2025. Maryland VPP continues to support the OSHA and Voluntary Protection Programs Participants' Association (VPPPA) and Special Government Employee (SGE) program and intends to focus more resources and efforts toward VPP in 2025.

COOPERATIVE COMPLIANCE PARTNERSHIP

The Maryland Cooperative Compliance Partnership program is a cooperative approach to safety by MOSH and participating construction contractors to extend worker protection beyond the minimum OSHA/MOSH standards. Each CCP is site-specific and designed to recognize the outstanding achievements of participating employers who have successfully incorporated comprehensive safety and health programs into their total management system. MOSH continues to maintain ongoing

relationships with these large contractors, improving worksite safety and enhancing overall safety culture in the construction industry.

The Cooperative Compliance Partnership program added two new sites in 2024 and reviewed several others with various general contractors throughout the state of Maryland. Several new applications are currently undergoing review and are likely to become new partnerships in 2025.

SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM

The Safety and Health Achievement Recognition Program is operated through the MOSH On- Site Consultation Program and 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 program recertified two SHARP sites in 2024: A&A Global Industries, LLC in Hunt Valley, and Acadia Windows and Doors, LLC in Rosedale. Two sites dropped out of the program in 2024: A&A Powder Coating, LLC in Hunt Valley, and Architectural Ceramics, Inc., in Rosedale.

The Cooperative Compliance Partnership program continued its reorganization phase in FY24. The CCP program added two new sites and reviewed several others with various general contractors throughout the state of Maryland. Several new applications are currently undergoing review and are likely to become new partnerships in FY25

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 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. The 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. When necessary, follow-up visits are made to ensure the correction of serious hazards.

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

In 2024, from January 1st to September 30th, the Private Sector Consultation unit consisted of four full-time safety consultants and two full-time health consultants, who assisted the Public Sector Consultation unit as needed. Starting October 1st, one safety consultant moved to Public Sector Consultation. The unit was able to complete 271 initial on-site hazard surveys, 21 follow-up visits, and five training visits during 2024. Based on opening conference dates during the same period, 709 serious hazards, 421 other-than-serious hazards, and three imminent-danger hazards were identified.

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 a private sector consultation. In addition, the unit provides off-site assistance, such as standard interpretation and training.

In 2024, Public Sector Consultation completed 57 initial on-site hazard surveys, 12 follow-up visits, and zero training and education visits. Based on opening conference dates during the same period, 178 serious hazards, 113 other-than-serious hazards, and zero imminent danger hazards were identified. Through our public sector consultation visits, MOSH was able to remove over 8,300 employees from risk.

Research And Statistics

The MOSH Research and Statistics Unit is responsible for developing and administering data collection programs that generate occupational injury and illness statistics. The current data collection programs are the Survey of Occupational Injuries and Illnesses (SOII) and the Census of Fatal Occupational Injuries (CFOI). Statistics from these two programs provide a valuable tool to help guide the Maryland Occupational Safety and Health Agency's surveillance efforts by creating a body of data that describes the nature and cause of occupational injury and illness. In addition, the SOII results are used to identify and profile the most hazardous industries in Maryland that may require outreach or intervention.

BUREAU OF LABOR STATISTICS' SURVEY OF OCCUPATIONAL INJURIES AND ILLNESSES

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 SOII. The SOII estimates the

number and frequency (incidence rates) of nonfatal workplace injuries and illnesses. The estimates are based on injury and illness logs kept by employers on an annual basis. Each January, a survey is mailed to a selected sample of Maryland employers, asking them about their previous year's workplace injury and illness experiences.

Reference year 2023 results were collected, compiled, and analyzed during calendar year 2024.

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 and practices, employee experience and training, and the number of hours worked. The 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).

Policymakers 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 use the SOII results. The U.S. Bureau of Labor Statistics includes Maryland's data when compiling the official national statistics. MOSH uses the program results to establish and assess agency performance measures. Maryland employers use the data to measure the effectiveness of their own safety programs by comparing individual establishment rates to the aggregate state and national rates for their respective industries.

Federal OSHA uses the SOII to monitor the effectiveness of certain MOSH activities and to measure our progress in meeting the objective 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.

MARYLAND SOII RESULTS FOR 2023

Private industry employers reported 41,600 nonfatal workplace injuries and illnesses in Maryland in 2023, the U.S. Bureau of Labor Statistics reported today. (See table A.) Regional Commissioner Alexandra Hall Bovee noted that this resulted in a total recordable cases (TRC) incidence rate of 2.3 cases per 100 full-time equivalent workers; the national rate was 2.4. The estimates in this release are from the Survey of Occupational Injuries and Illnesses (SOII).

Maryland's findings from the 2023 Survey of Occupational Injuries and Illnesses include:

- TRC incidence rates ranged from 0.5 in financial activities to 3.8 in natural resources and mining. (See table 1.)
- Two super sectors, with 42 percent of employment, accounted for 55 percent of the occupational injuries and illnesses: trade, transportation, and utilities and educational and health services. (See table 2.)
- The professional and business services industry TRC rate was 1.1 in 2023 and 1.0 in 2022. Construction TRC rates were 2.3 and 2.0 in 2023 and 2022, respectively.
(See table 3.)
- The TRC injury and illness incidence rate ranged from 0.8 for establishments employing fewer than 11 workers to 3.2 for establishments employing 1,000 or more workers. (See table 4.)
- Injuries accounted for 39,300 (94.5 percent) of total recordable cases; illnesses were an additional 2,300 cases.

Table A. Number and rate of nonfatal occupational injuries and illnesses in private industry, United States and Maryland, 2023				
Characteristic	U.S.		Maryland	
	Number (in thousands)	Rate	Number (in thousands)	Rate
Total cases	2,569.0	2.4	41.6	2.3
Cases with days away from work, job transfer, or restriction	1,527.5	1.5	25.8	1.4
Cases with days away from work	946.5	0.9	18.3	1.0
Cases with job transfer or restriction	581.0	0.6	7.5	0.4
Other recordable cases	1,041.5	1.0	15.8	0.9

[1] Incidence rates represent the number of injuries and illnesses per 100 full-time workers and were 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; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

[2] Excludes farms with fewer than 11 employees.

Note: Due to rounding, components may not add to totals.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, SOII Program, December 2024.

Of the 41,600 private industry injury and illness cases reported in Maryland, 25,800 were of a more severe nature, involving days away from work, job transfer, or restriction while recuperating—commonly referred to as DART cases. These cases occurred at a rate of 1.4 cases per 100 full-time workers; nationally the rate was 1.5.

Other recordable cases (those not involving days away from work, job transfer, or restriction) accounted for the remaining 15,800 cases in Maryland, at a rate of 0.9. The national rate for other recordable cases was 1.0.

In the state and local government sector in Maryland, 14,300 injury and illness cases were reported in 2023, resulting in a rate of 5.4 cases per 100 full-time workers. Nationally, the rate was 4.3. Eighty-two percent of injuries and illnesses reported in Maryland's public sector occurred among local government workers.

Private industry estimates are available for 42 states, the District of Columbia, and three territories. (See [map 1](#).) Factors such as differences in the composition of industry employment may influence state incidence rates and should be considered whenever comparing rates among different states.

Additional Information:

The [Survey of Occupational Injuries and Illnesses \(SOII\)](#) is a Federal/State cooperative program that presents estimates on nonfatal workplace injuries and illnesses. For more information on the SOII program, scope, and sampling methodology, see the national [Employer-Reported Workplace Injuries and Illnesses news release](#) and the [SOII Handbook of Methods](#). Incidence rates and counts by industry and case type published by the SOII are rounded. As a result, some components may not add to totals. See [the effects of rounding on estimates](#) for more information. Data for U.S. territories are not included in the national SOII estimates. Employment data used in this release are from the [Quarterly Census of Employment and Wages](#) (QCEW) program.

Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case type, Maryland, 2023

Industry	Total recordable cases	Cases with days away from work, job transfer, or restriction			Other recordable cases
		Total	Cases with days away from work	Cases with job transfer or restriction	
All industries including state and local government	2.7	1.6	1.2	0.4	1.1
Private industry [4]	2.3	1.4	1.0	0.4	0.9
Goods-producing	2.5	1.5	1.0	0.5	1.0
Natural resources and mining [4][5]	3.8	2.1	1.4	-	1.7
Construction	2.3	1.4	1.0	0.4	0.9
Manufacturing	2.8	1.7	1.1	0.5	1.2
Service-providing	2.3	1.4	1.0	0.4	0.9
Trade, transportation, and utilities [6]	3.5	2.6	1.7	0.8	0.9
Information	2.7	1.4	1.3	0.1	1.3
Financial activities	0.5	0.4	0.3	0.1	0.1
Professional and business services	1.1	0.7	0.4	0.3	0.3
Education and health services	2.9	1.4	1.1	0.3	1.5
Leisure and hospitality	2.7	1.4	1.1	0.3	1.3
Other services, except public administration	2.7	1.9	1.4	0.4	0.9
State and local government	5.4	2.9	2.3	0.6	2.5
State government	3.1	1.9	1.7	0.2	1.2
Local government	6.4	3.4	2.6	0.8	3.1

[1] Data are coded using the North American Industry Classification System (NAICS). For more information on the version of NAICS used in this year, see our Handbook of Methods concepts page: <https://www.bls.gov/opub/hom/soii/concepts.htm>.

[2] Incidence rates represent the number of injuries and illnesses per 100 full-time workers and were 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; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

[3] Days-away-from-work cases include those that result in days away from work with or without job transfer or restriction.

[4] Excludes farms with fewer than 11 employees.

[5] Data for mining (Sector 21 in the North American Industry Classification System) include establishments not governed by the Mine Safety and Health Administration (MSHA) rules and reporting, such as those in oil and gas extraction and related support activities. Data for mining operators in coal, metal, and nonmetal mining are provided to BLS by the Mine Safety and Health Administration, U.S. Department of Labor. Independent mining contractors are excluded from the coal, metal, and nonmetal mining industries. These data do not reflect the changes the Occupational Safety and Health Administration made to its recordkeeping requirements effective January 1, 2002; therefore, estimates for these industries are not comparable to estimates in other industries.

[6] Data for employers in rail transportation are provided to BLS by the Federal Railroad Administration, U.S. Department of Transportation.

Note: Due to rounding, components may not add to totals. Dash indicates data not available.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, SOII Program, December 2024.

Table 2. Numbers of nonfatal occupational injuries and illnesses by selected industries and case types, Maryland, 2023 (numbers in thousands)

Industry [1]	Total recordable cases	Cases with days away from work, job transfer, or restriction [2]			Other recordable cases
		Total	Cases with days away from work [2]	Cases with job transfer or restriction	
All industries including state and local government	55.9	33.5	24.4	9.1	22.4
Private industry [3]	41.6	25.8	18.3	7.5	15.8
Goods-producing	6.7	4.0	2.8	1.2	2.7
Natural resources and mining [3][4]	0.2	0.1	0.1	-	0.1
Construction	3.6	2.2	1.5	0.6	1.4
Manufacturing	2.9	1.7	1.2	0.6	1.2
Service-providing	34.9	21.8	15.5	6.3	13.1
Trade, transportation, and utilities [5]	13.0	9.5	6.5	3.1	3.4
Information	0.8	0.4	0.4	-	0.4
Financial activities	0.6	0.4	0.4	0.1	0.1
Professional and business services	4.4	3.0	1.7	1.3	1.5
Education and health services	10.0	4.9	3.8	1.0	5.1
Leisure and hospitality	4.3	2.3	1.8	0.4	2.1
Other services, except public administration	1.8	1.2	0.9	0.3	0.6
State and local government	14.3	7.7	6.1	1.6	6.6
State government	2.6	1.6	1.4	0.1	1.0
Local government	11.7	6.2	4.7	1.4	5.6

[1] Data are coded using the North American Industry Classification System (NAICS). For more information on the version of NAICS used in this year, see our Handbook of Methods concepts page: <https://www.bls.gov/opub/hom/soii/concepts.htm>.

[2] Days-away-from-work cases include those that result in days away from work with or without job transfer or restriction.

[3] Excludes farms with fewer than 11 employees.

[4] Data for mining (Sector 21 in the North American Industry Classification System) include establishments not governed by the Mine Safety and Health Administration (MSHA)

rules and reporting, such as those in oil and gas extraction and related support activities. Data for mining operators in coal, metal, and nonmetal mining are provided to BLS by the Mine Safety and Health Administration, U.S. Department of Labor. Independent mining contractors are excluded from the coal, metal, and nonmetal mining industries. These data do not reflect the changes the Occupational Safety and Health Administration made to its recordkeeping requirements effective January 1, 2002; therefore, estimates for these industries are not comparable to estimates in other industries.

[5] Data for employers in rail transportation are provided to BLS by the Federal Railroad Administration, U.S. Department of Transportation.

Note: Due to rounding, components may not add to totals. Dash indicates data not available.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, SOII Program, December 2024.

Table 3. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and selected case type, Maryland, 2022–23

Industry [1]	Total recordable cases [2]		Cases with days away from work, job transfer, or restriction [2][3]	
	2022	2023	2022	2023
All industries including state and local government	2.8	2.7	1.7	1.6
Private industry [4]	2.4	2.3	1.6	1.4
Goods-producing	2.4	2.5	1.6	1.5
Natural resources and mining [4][5]	-	3.8	1.0	2.1
Construction	2.0	2.3	1.3	1.4
Manufacturing	2.9	2.8	2.0	1.7
Service-providing	2.4	2.3	1.6	1.4
Trade, transportation, and utilities [6]	3.9	3.5	3.0	2.6
Information	1.0	2.7	0.3	1.4
Financial activities	0.9	0.5	0.5	0.4
Professional and business services	1.0	1.1	0.5	0.7
Education and health services	3.1	2.9	1.8	1.4
Leisure and hospitality	2.6	2.7	1.3	1.4
Other services, except public administration	-	2.7	-	1.9
State and local government	5.3	5.4	2.9	2.9
State government	3.4	3.1	2.1	1.9
Local government	6.1	6.4	3.2	3.4

[1] Data are coded using the North American Industry Classification System (NAICS). For more information on the version of NAICS used in this year, see our

Handbook of Methods concepts page:

<https://www.bls.gov/opub/hom/soii/concepts.htm>.

[2] Incidence rates represent the number of injuries and illnesses per 100 full-time workers and were 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; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

[3] Days-away-from-work cases include those that result in days away from work with or without job transfer or restriction.

[4] Excludes farms with fewer than 11 employees.

[5] Data for mining (Sector 21 in the North American Industry Classification System) include establishments not governed by the Mine Safety and Health Administration (MSHA) rules and reporting, such as those in oil and gas extraction and related support activities. Data for mining operators in coal, metal, and nonmetal mining are provided to BLS by the Mine Safety and Health Administration, U.S. Department of Labor. Independent mining contractors are excluded from the coal, metal, and nonmetal mining industries. These data do not reflect the changes the Occupational Safety and Health Administration made to its recordkeeping requirements effective January 1, 2002; therefore, estimates for these industries are not comparable to estimates in other industries.

[6] Data for employers in rail transportation are provided to BLS by the Federal Railroad Administration, U.S. Department of Transportation.

Note: Dash indicates data not available.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, SOII Program, December 2024.

Table 4. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and employment size, Maryland, 2023

Industry [1]	All establishments [2]	Establishment employment size (workers) [2]				
		1 to 10	11 to 49	50 to 249	250 to 999	1,000 or more
All industries including state and local government	2.7	0.8	2.0	3.2	3.2	3.9
Private industry [3]	2.3	0.8	1.9	2.6	3.0	3.2
Goods-producing	2.5	-	2.2	3.4	2.2	1.2
Natural resources and mining [3][4]	3.8	-	1.4	4.8	-	-
Construction	2.3	-	2.2	2.4	2.1	0.5
Manufacturing	2.8	-	2.2	5.2	2.1	1.4
Service-providing	2.3	0.6	1.9	2.5	3.2	3.4
Trade, transportation, and utilities [5]	3.5	-	2.5	3.6	5.0	7.6
Information	2.7	-	0.7	3.8	-	-
Financial activities	0.5	-	0.8	0.7	0.5	-
Professional and business services	1.1	-	1.7	0.9	1.0	0.7
Education and health services	2.9	-	1.4	3.5	3.3	3.8
Leisure and hospitality	2.7	-	1.5	2.7	10.3	-
Other services, except public administration	2.7	-	4.0	3.2	-	-

State and local government	5.4	-	2.8	6.7	4.0	5.2
State government	3.1	-	2.6	4.8	4.0	1.6
Local government	6.4	-	-	7.2	4.0	7.1

[1] Data are coded using the North American Industry Classification System (NAICS). For more information on the version of NAICS used in this year, see our Handbook of Methods concepts page: <https://www.bls.gov/opub/hom/soii/concepts.htm>.

[2] Incidence rates represent the number of injuries and illnesses per 100 full-time workers and were 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; and 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).

[3] Excludes farms with fewer than 11 employees.

[4] Data for mining (Sector 21 in the North American Industry Classification System) include establishments not governed by the Mine Safety and Health Administration (MSHA) rules and reporting, such as those in oil and gas extraction and related support activities. Data for mining operators in coal, metal, and nonmetal mining are provided to BLS by the Mine Safety and Health Administration, U.S. Department of Labor. Independent mining contractors are excluded from the coal, metal, and nonmetal mining industries. These data do not reflect the changes the Occupational Safety and Health Administration made to its recordkeeping requirements effective January 1, 2002; therefore, estimates for these industries are not comparable to estimates in other industries.

[5] Data for employers in rail transportation are provided to BLS by the Federal Railroad Administration, U.S. Department of Transportation.

Note: Dash indicates data not available.

Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, SOII Program, December 2024.

THE MARYLAND CENSUS OF FATAL OCCUPATIONAL INJURIES

The Maryland Census of Fatal Occupational Injury (CFOI) program within the Division of Labor and Industry compiles a complete accounting of all fatal work injuries occurring in the State during the calendar year. The program uses diverse data sources from a variety of federal, state, and local government administrative records, media reports, and other independent data sources in order to substantiate and 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. Any comparisons, therefore, 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.

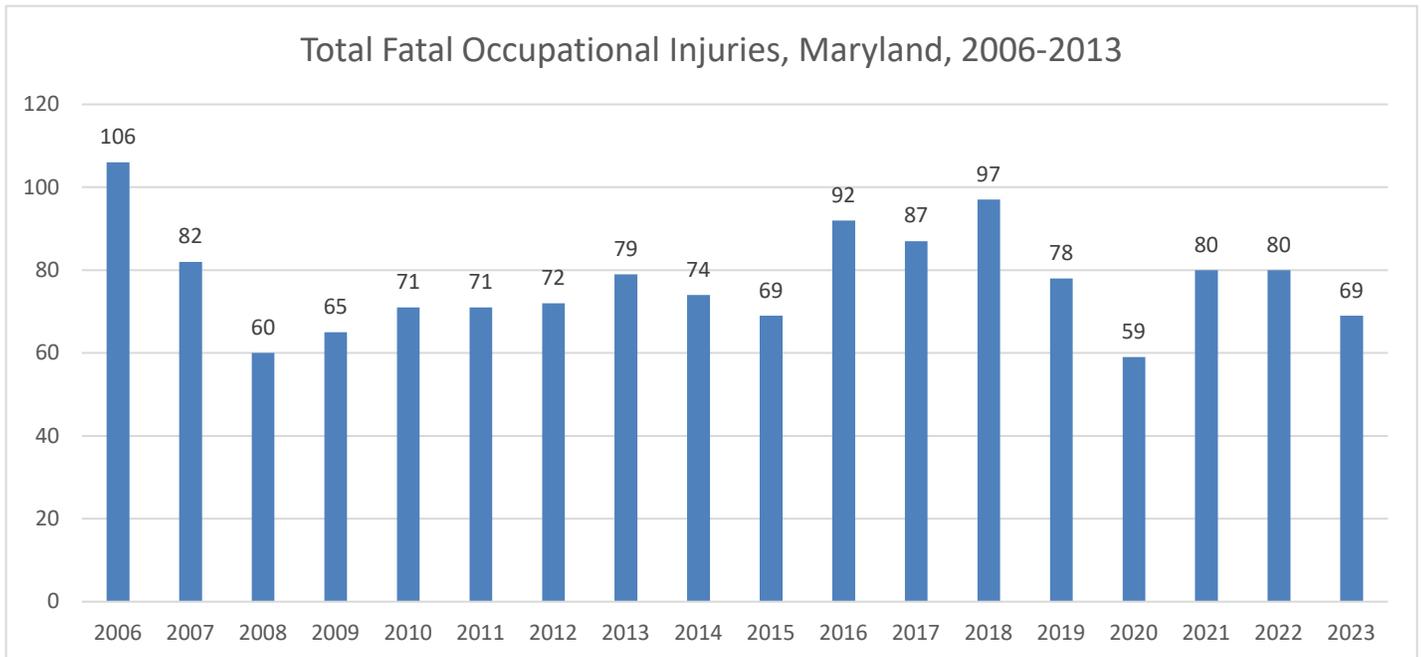
For a fatality to be included in this census, the decedent must have been employed (defined as working for pay, compensation, or profit) at the time of the event, engaged in a legal work activity, or present at the site of the incident as a requirement of his or her job. Fatalities to volunteers and 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 other State and federal agencies administering specific laws and regulations. (Fatalities that occur during a person's normal commute to and from work are excluded from the census counts.)

The data presented includes deaths occurring 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.

MARYLAND CFOI RESULTS FOR 2023

Fatal work injuries totaled 69 in 2023 for Maryland, according to the latest fatality census results from the Bureau of Labor Statistics' Census of Fatal Occupational Injuries. The number of work-related fatalities for 2023 decreased from the 80 total fatalities in the previous year, 2022. Since 1992, fatal occupational injuries in Maryland have ranged from a high of 106, reported in 2006, to a low of 59, reported in 2020. Certain fatal events are not covered under the Maryland Occupational Safety and Health agency's investigative oversight, including cases of workplace homicide and suicide; certain transportation events, such as aircraft, rail, and highway crashes; and fatalities to the self-employed. The Census of Fatal Occupational Injuries does include these cases; therefore, the work fatality count reported on CFOI is significantly higher.

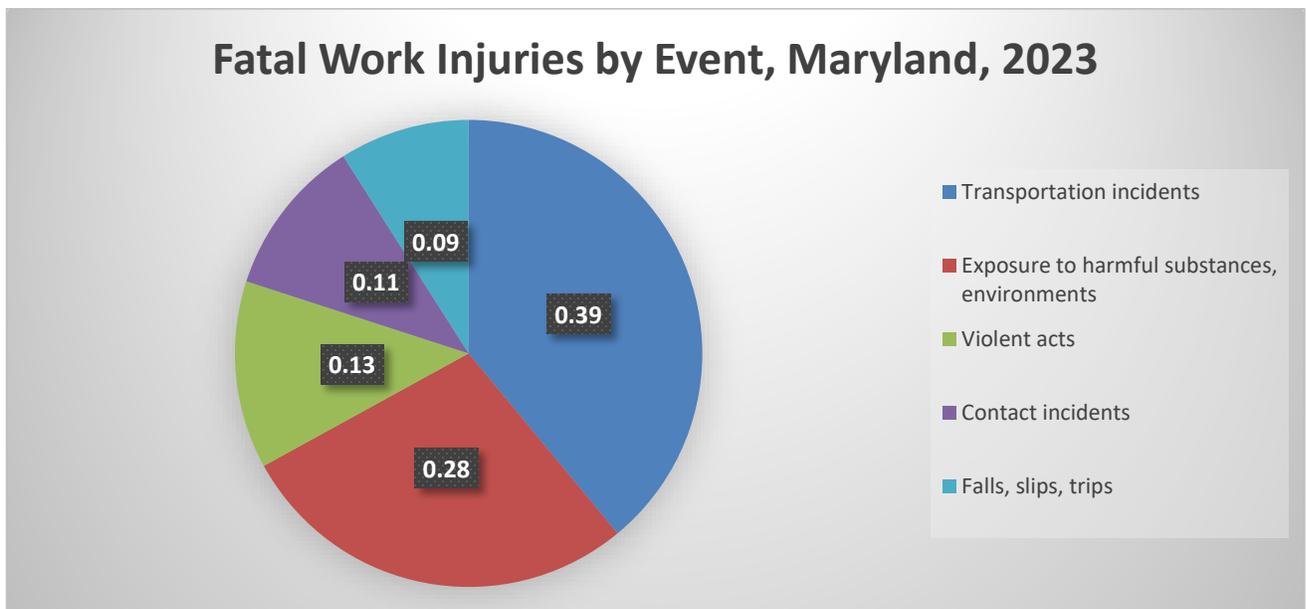
Nationwide, a total of 5,283 fatal work injuries were recorded in 2023, a 3.7 percent decrease from 5,486 in 2022.



Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, CFOI Program, December 2024.

Type of incident

In Maryland, transportation incidents were the most frequent type of incident resulting in 26 fatal work injuries. Transportation incidents were also the most frequent type of fatal event in the United States overall. There were 19 deaths as a result of exposure to harmful substances or environments, which includes overdoses and environmental weather conditions, making this event the second leading cause of work-related deaths in Maryland. In 2022, exposure to harmful substances or environments accounted for 9 work-related fatalities, while violence and other injuries by persons or animals was the second most frequent, with 22 fatalities. Compared to this year, there were only 9 deaths as a result of violent acts. These three major categories accounted for just over 78 percent of all workplace fatalities in the state, compared to 68 percent in 2022.



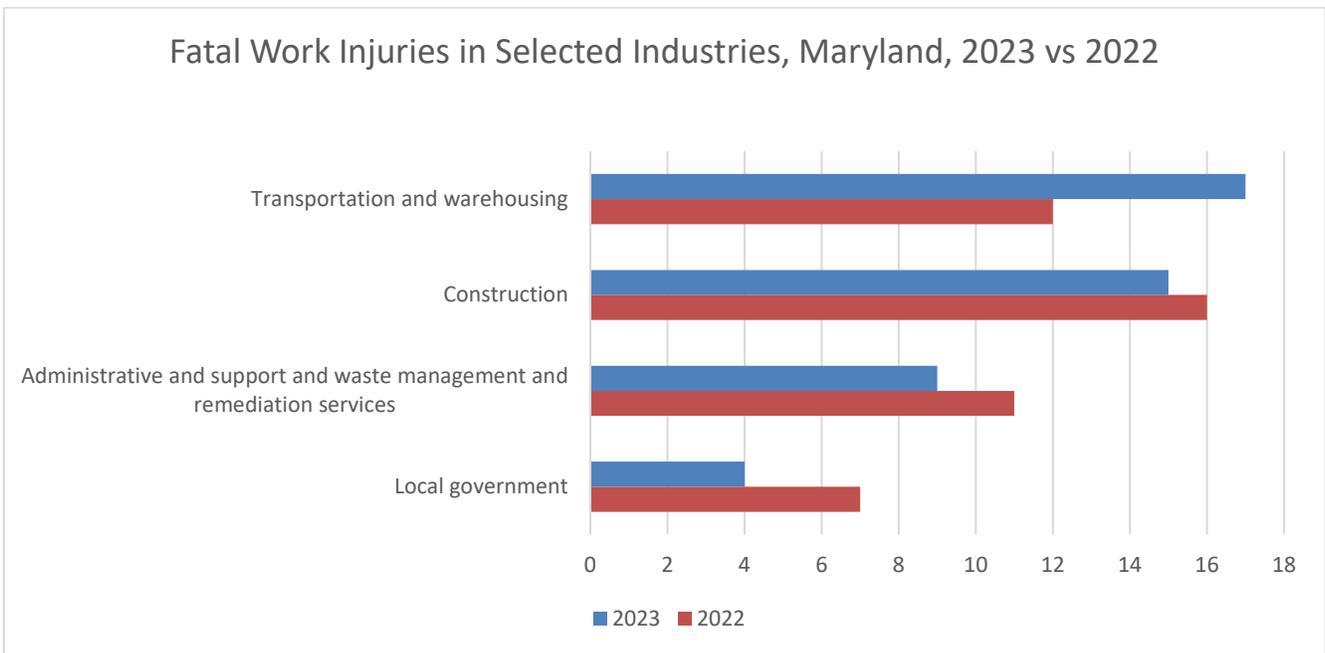
Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor

Statistics, CFI Program, December 2024. *Percentages may not add up to 100 due to rounding.

Industry

Private sector transportation and warehousing accounted for 17 fatalities, up from 12 in 2022, making it the industry with the highest

fatalities in 2023. Private sector construction accounted for the largest number of fatalities in 2022. In 2023, it accounted for the second largest number of work-related deaths with 15 fatalities, 6 of which were due to exposure to harmful substances or environments. Nationally, construction had the most fatalities among all industry sectors in 2023. Administrative and support and waste management and remediation services accounted for 9 fatalities in the state, down from 11 in 2022. Maryland’s local government accounted for 4 of the 7 government fatalities, down from 7 in 2022.

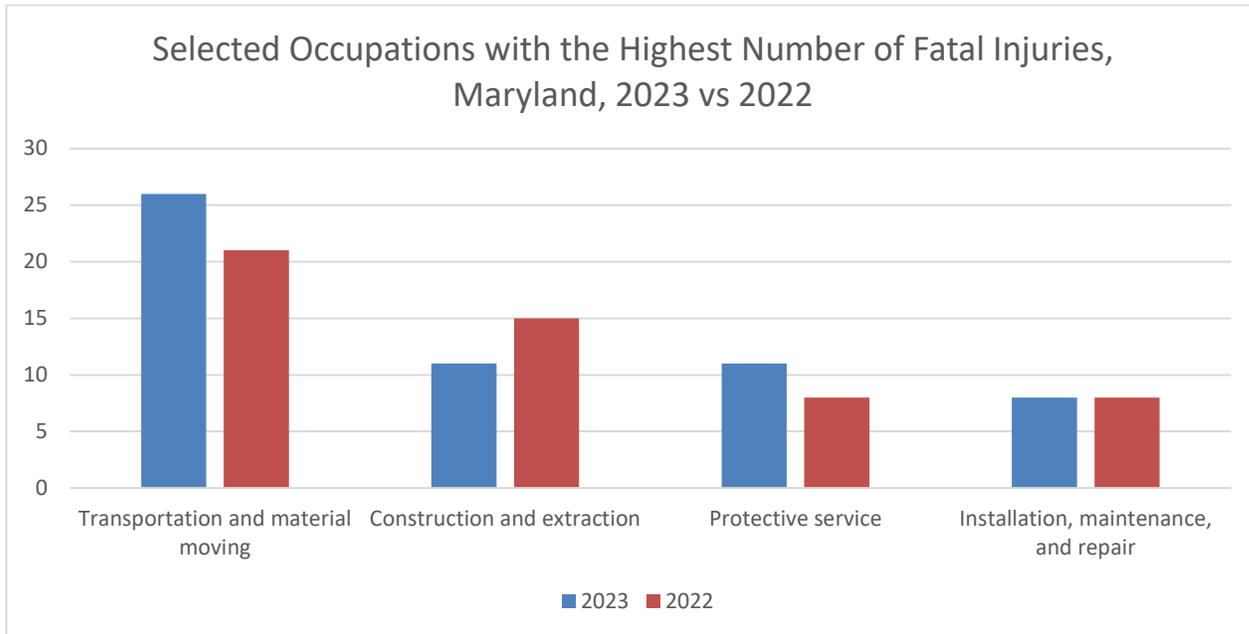


Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, CFOI Program, December 2024.

Occupation

Transportation and material moving occupations had the highest number of deaths in Maryland at 21, a decrease from 26 in 2022. Workers in transportation and material moving occupations represented the occupational group with the most fatalities nationally as well. The occupational group with the second-highest number of fatal work injuries in Maryland was construction and extraction occupations at 15, compared to 11

in 2022. Protective service occupations and installation, maintenance, and repair occupations were tied for third with eight fatalities. In 2022, protective service occupations accounted for 11 fatalities, while installation, maintenance, and repair occupations accounted for 8.



Source: Maryland Division of Labor and Industry in cooperation with the U.S. Bureau of Labor Statistics, CFI Program, December 2024.

Additional highlights

- Men accounted for 91 percent of work-related fatalities in Maryland, the same as in 2022. Nationally, men accounted for just over 91 percent of all work-related fatalities in 2023. Women accounted for nearly 9 percent of the work-related fatalities in Maryland, down from 10 percent in 2022. Nationally, women accounted for just over 8 percent of all fatalities in 2023.
- White, non-Hispanic workers accounted for 41 percent of those who died from a workplace injury, while Black or African American, non-Hispanic workers accounted for just below 32 percent, and Hispanic or Latino workers accounted for just over 23 percent. In 2022, White, non-Hispanic workers accounted for 46 percent of those who died from a workplace injury; Black or African American, non-Hispanic workers

accounted for 35 percent; and Hispanic or Latino workers accounted for 14 percent.

- Wage and salary workers accounted for almost 80 percent of work-related fatalities in 2023. In 2022, wage and salary workers accounted for just over 81 percent of work-related fatalities. There was an increase in self-employed worker workplace deaths from last year. In 2022, self-employed workers accounted for 19 percent of workplace deaths. In 2023, the share of self-employed worker deaths was 20 percent. Nationally, wage and salary workers accounted for 83 percent of all work-related fatalities and self-employed workers accounted for just over 17 percent.

Coronavirus (COVID-19) Pandemic and the Census of Fatal Occupational Injuries

CFOI reports fatal workplace injuries only. These may include fatal workplace injuries complicated by an illness such as COVID-19. Fatal workplace illnesses not precipitated by an injury are not in scope for CFOI. CFOI does not report any illness related information, including COVID-19. Additional information is available at www.bls.gov/covid19/effects-of-covid-19-on-workplace-injuries-and-illnesses-compensation-and-occupationalrequirements.htm.

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, and a Chief Elevator 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. With one vacancy at the end of 2024, the unit currently includes a Chief Boiler Inspector, 8 Deputy Boiler Inspector positions, with 140 AIA Commissioned Inspectors (AIA 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.

AIA Inspectors employed by authorized inspection agencies performed approximately 83% of the 35,276 safety inspections conducted in 2024, as required by the Maryland Boiler and Pressure Vessel Law. 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. 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 AIA 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 investigation.

For many years, the Boiler and Pressure Vessel Unit has attempted to steadily reduced the number of past due objects. After Covid, the overdue object count slowly decreased and fluctuated in both directions somewhat during 2024. The current number of overdue objects is at 3,633 out of 53,988 (6% state-wide).

Boiler and Pressure Vessel data for CY2024:

Boiler and Pressure Vessel Inspections Conducted by Deputy Boiler Inspectors and Special Inspectors			
Inspections		Deputy Inspectors	Special Inspectors
Inspections performed	35,276	5,907	29,369
Units Registered	53,988		
Accidents investigated	0		
Complaints investigated	0		
Total certificates issued	23,564		

The Board of Boiler Rules, whose members are appointed by the Governor, provides 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 20 Maryland companies authorized to perform repairs to boilers and pressure vessels.

Both Deputy Boiler Inspectors and AIA 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 2,963 such violations opened in 2024, 416 of which were identified by State inspectors.

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 continue 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 tracks 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. There is currently a Track inspector, a Motive Power and Equipment inspector, and an Operating Practices inspector. There are no longer vacancies in this department.

Railroad Safety data for CY2024:

<p style="text-align: center;">Railroad Safety and Health Inspections</p> <p style="text-align: center;">Motive Power and Equipment</p>

MP&E Inspections	0
Cars inspected	0
Locomotives inspected	0
Defects reported	0
Violations reported	0
Blue Signal observations	0
Track	
Track Inspections	180
Private industry inspections	70
Track miles inspected	1,277
Turnouts inspected	201
Defects reported	311
Violations reported	0
Operating Practices	
OP Inspections	113
Railroad operating rules	122
Railroad operating practices	127
Radio standards and procedures	102
Rear end marking devices	1
Hours of service of railroad employees	0
Defects reported	12
Violations reported	3
Blue Flag observations	9
Railroad Accident/Incident Reporting	
Accidents/Incidents	26
Fatalities (including trespassers)	11
Injuries	3
Property Damage	10

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 new MP&E Inspector was hired in January of 2024, however he will be unable to conduct MP&E Inspections until he becomes certified, which may occur in late 2025.

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 the conduct of a “bungee jumping operation” 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 (CY2024)	
Amusement Attractions Registered	5,269
Certificate Inspections	4,486
Other Inspections (Strip-Downs, Preliminary, Assists)	1,800
Total Inspections Performed	6,286
Accidents investigated	7
Incidents investigated	3
Fatalities	1

The Amusement Ride Safety Inspection Unit includes a staff of 8 field inspector positions statewide, including one chief position and one supervisor, both of whom also conduct inspections.

There were 6,286 inspections performed throughout the 2024 calendar year. 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.

During normal winter months, when inspection activity decreases, amusement ride inspectors assist the elevator and boiler units by hand-delivering citations that are returned as undeliverable mail and investigating possible building closures and new ownership of property where elevators and boilers exist. Amusement ride inspectors also paired up with elevator

inspectors to gain training and experience for potentially assisting in the future.

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 qualified elevator inspectors (TPQEI) in accordance with the nationally recognized American Society of Mechanical Engineers Safety Code for Elevators and Escalators.

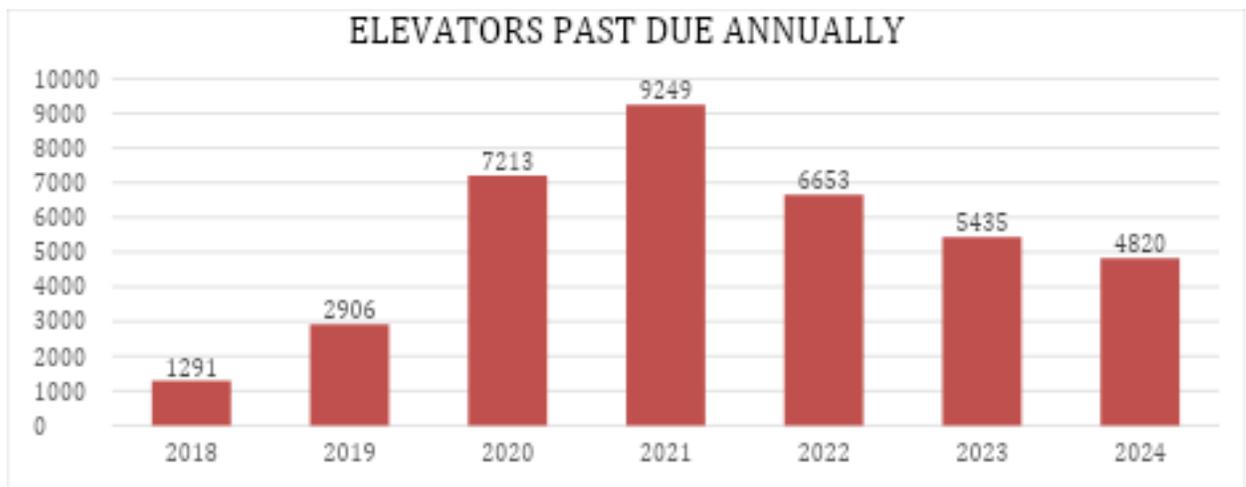
The Commissioner may grant an exception from the requirements of applicable codes when necessary to prevent undue hardship or where existing conditions prevent practical compliance. With proper documentation and where reasonable safety can be secured, the Commissioner considers applications for variance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

The Elevator Safety Inspection unit includes a Chief Elevator Inspector, an Assistant Elevator Chief, Assistant Chief, and 2 regional supervisor who coordinate, train and supervise a staff of 13 field inspector positions statewide, 1 of which was vacant at the end of 2024.

The Elevator Safety law requires owners of elevator units in Maryland to contract with an authorized third-party inspector to perform the annual safety inspections and witness certain types of tests as required by law. An

authorized inspector must hold a valid Qualified Elevator Inspector certification issued by a nationally recognized safety organization accredited by the National Commission for Certifying Agencies or the American National Standards Institute. They also shall maintain professional liability insurance and be licensed by the Commissioner of Labor. State inspectors continue to perform final acceptance, alteration, accident, incident, complaint, third party monitoring inspections and reinspection of all these inspection types.

During 2024, Third Party Qualified Elevator Inspector's (TPQEI) continue assisting Maryland elevator owners with keeping their elevators, escalators, and lifts safe. The joint effort between State and TPQEI inspectors has had a positive impact on the number of overdue units in Maryland. Since this joint effort took place, the Elevator Safety Unit has reduced the number of past due elevator units from 7,213 at the onset of Covid to 4,820 in 2024.



There are two components to the process that results in the issuance of a certificate of inspection: inspecting equipment (Third Party Qualified Elevator Inspector TPQEI or State Inspector) and testing equipment (Licensed Elevator Mechanic). Inspecting is one component required by elevator code, (A17.1 section 8.11) to be performed by a QEI certified inspector, confirming compliant equipment safety functions. Testing is another separate component required by the elevator code, (A17.1 section 8.11) to be performed by a licensed elevator mechanic. In privately owned buildings, annual testing was able to be “verified” by an authorized TPQEI through documentation during an onsite inspection. Witnessing of the annual test is

currently an option in Maryland for privately owned elevator units, depending on the facility owner's choice, or the authorized/registered TPQEI's business practice.

Elevator Safety Inspections (CY2024)			
		Stat	QEI
Inspections performed	37,316	5,510	31,806
Elevators Registered	26,000		
Other Activity by State inspection unit:			
Accidents/Incidents investigated		26	
Complaints investigated		139	

Boards, Councils and Committees

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.

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.

MOSH ADVISORY BOARD

The MOSH Advisory Board, established by Labor & Employment Article, Title 5, Subtitle 3, is composed of eleven voting members drawn from business, labor, government, and the public (see Section 5-303), chosen on the basis of competence and experience in the field of occupational safety and health. The members are appointed by the Commissioner, with the approval of the Secretary, and serve for 6-year terms. The Board's primary responsibility is to assist the Commissioner in developing regulations aimed at protecting worker safety and health. The existence of such a Board is a requirement for all state plans, such as MOSH, under the OSH Act.