

## Overview

- Initial Approval: July 5, 1973 (38 FR 17837).
- State Plan Certification: February 15, 1980 (45 FR 10337)
- 18(e) Final Approval: July 18, 1985 (50 FR 29220)

The Maryland Occupational Safety and Health (MOSH) State Plan is part of the Maryland Division of Labor and Industry. The main office is located in Hunt Valley.

## Coverage

The Maryland State Plan applies to all private sector workplaces in the state with the exception of:

1. Maritime employment, including shipyard employment, marine terminals, and longshoring;
2. Employment on military bases;
3. Contract workers and contractor-operated facilities engaged in United States Postal Service mail operations;
4. All working conditions of aircraft cabin crewmembers onboard aircraft in operation; and
5. Any hazard, industry, geographical area, operation or facility over which the State Plan is unable to effectively exercise jurisdiction for reasons not related to the required performance or structure of the plan.

The Maryland State Plan also applies to state and local government employers. It does not apply to federal government employers including the United States Postal Service. Federal OSHA covers the issues not covered by the Maryland Plan. In addition, federal OSHA retains enforcement of the anti-retaliation provision of the Occupational Safety and Health Act of 1970, Section 11(c), 29 USC 660(c), with respect to the private sector. MOSH also investigates private and state and local government workplace retaliation cases under a provision analogous to Section 11(c).

A brief summary of the Maryland State Plan is included in the Code of Federal Regulations (CFR) at 29 CFR 1952.9. Federal OSHA retains the authority to promulgate, modify, or revoke occupational safety and health standards under Section 6 of the OSH Act. In the event that federal OSHA resumes enforcement, those federal standards will be enforced. Federal OSHA also retains the authority to monitor the State Plan under Section 18(f) of the OSH Act.

## State Plan Standards

MOSH has adopted all federal OSHA standards that would relate to public and private sector employer operations which are incorporated by reference. In addition, MOSH has adopted the following unique standards:

### *General Industry*

- Prohibition on Smoking in an Indoor Place of Employment
- Standard for Confined Spaces
- Standard for Personnel Platforms Suspended from Cranes, Derricks and Hoists
- Tree Care and Removal
- Occupational Exposure to Formaldehyde

### *Construction*

- Fall Protection in Steel Erection

- Crane Safety
- Lead in Construction
- Excavations, Requirement for Protective Systems

### *Agriculture*

- Standard for Field Sanitation

## **Enforcement Programs**

The MOSH compliance unit is responsible for the enforcement of safety and health standards. Compliance officers inspect workplaces for hazardous conditions and issue citations where violations of MOSH standards are found. Inspections may be the result of regular scheduling, imminent danger reports, fatalities, worker complaints, or referrals. More information on enforcement in Maryland can be found on the Maryland State Plan website.

## **Voluntary and Cooperative Programs**

MOSH offers voluntary and cooperative programs focused on reducing injuries, illnesses, and fatalities. MOSH also offers on-site consultation services which help employers – both public and private – comply with MOSH or OSHA standards and identify and correct potential safety and health hazards. For more information on these programs, please visit the Maryland State Plan website.

## **Informal Conferences and Appeals**

MOSH conducts informal conferences in an effort to resolve contested cases. When a citation is contested, a hearing examiner holds a hearing. For more information on these proceedings, please visit the Maryland State Plan website.

### Contact Information

Maryland Division of Labor and Industry

10946 Golden West Drive, Suite 160

Hunt Valley, Maryland 21031

**Matthew Helminiak**, Commissioner of Labor and Industry, Maryland Department of Labor

☎ (410) 767-2961

✉ Matthew Helminiak

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Maryland Occupational Safety and Health (MOSH)

10946 Golden West Drive, Suite 160

Hunt Valley, Maryland 21031

**Michael Penn**, Chief of Compliance / Acting Assistant Commissioner

☎ (410) 527-2062

☎ (410) 527-4482

✉ Michael Penn

**Disclaimer**

OSHA makes every effort to ensure that this webpage is accurate and up-to-date; however, for the latest information please contact the State Plan directly.

## UNITED STATES DEPARTMENT OF LABOR

Occupational Safety & Health Administration  
200 Constitution Ave NW  
Washington, DC 20210  
☎ 800-321-6742 (OSHA)  
TTY  
[www.OSHA.gov](http://www.OSHA.gov)

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