

MARYLAND Labor Laws

Minimum Wage and Overtime Exemptions

Certain agricultural employees

Outside salespersons

Drive-in theaters

Taxicab drivers

Commissioned employe

Immediate family member of the employer

Executives, administrative, and professional employee

Non-administrative employees of organized camps

and the Interstate Commerce Commission

Employees under 16 working less than 20 hours per week

Volunteers for educational, charitable, religious, and non-profit organizations

Employees enrolled as a trainee as part of a public school special education program

Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks

Seasonal amusement and recreational establishments that meet certain criteria

Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show

Certain establishments selling food and drink for consumption on the premises grossing less than \$400,000 annually

Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act.

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

MARYLAND DEPARTMENT OF LABOR

DIVISION OF LABOR AND INDUSTRY—EMPLOYMENT STANDARDS SERVICE

10946 GOLDEN WEST DRIVE, SUITE 160

HUNT VALLEY, MD 21031

TELEPHONE NUMBER: (410) 767-2357

Fax Number (410) 333-7303

E-ман: dldliemploymentstandards-dllr@maryland.gov

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION CONSPICUOUSLY.

THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL

ADVISOR. PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.

Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Minimum Wage

Department of Labor, Division of Labor and Industry Minimum Wage and Overtime Law (Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland

Minimum Wage Rates **Employers with 15 or more employees:** Effective 1/1/23

Employers with 14 or fewer employees:

Scheduled 1/1/24 Montgomery Co Different minimum wage rates are in effect. Employers in this county are required to post the applicable

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

\$15.00 **Overtime Only Exemptions** Effective 1/1/23 (must earn the State Minimum Wage Rate \$15.00

rate information. ost employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than \$30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least \$3.63 per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Most employees must be paid **1.5 times** their usual hourly rate for all work over **40 hrs.** per week. Exceptions: Agricultural workers for all work over **60 hrs.** per week

Department of Labor **Equal Pay for Equal Work** (Labor and Employment Article Title 3, Subtitle 3)

(a) In this subtitle the following words have the meanings indicated (i) a person engaged in a business, industry, profession, trade, or other enterprise in the State (ii) the State and its units; iii) a county and its units; and a municipal government in the State.

2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee) "Gender identity" has the meaning stated in § 20—101 of the State Government Article. 1) "Wage" means all compensation for employment. ?) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employer.

This subtitle applies to an employer of both men and women in a lawful enterprise.

addition to any powers set forth elsewhere, the Commissioner may: use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this 2) supervise the payment of a wage owing to an employee under this subtitle.

) In this section, "providing less favorable employment opportunities" means igning or directing the employee into a less favorable career track, if career tracks are offered, or position;) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the

) An employer may not discriminate 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 another sex or gender identity 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; or oviding less favorable employment opportunities based on sex or gender identity. For purposes of paragraph (1)(i) of this subsection, an employee shall be deemed to work at the same establishment as

another employee if the employees work for the same employer at workplaces located in the same county of the State. except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is a seniority system that does not discriminate on the basis of sex or gender identity; merit increase system that does not discriminate on the basis of sex or gender identity

1) jobs that require the regular performance of different duties or services: work that is performed on different shifts or at different times of day; system that measures performance based on a quality or quantity or production; or) a bona fide factor other than sex or gender identity, including education, training, or experience in which the factor: (i) is not based on or derived from a gender-based differential in compensation: ii) is job related with respect to the position and consistent with a business necessity; and

This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection of this section is a pretext for discrimination on the basis of sex or gender identity. An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

a) An employer may not: prohibit an employee from i) inquiring about, discussing, or disclosing the wages 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 require an employee to sign a waiver or any other document that purports to deny the employee the right to disclose or discuss ne employee's wages; or B) take any adverse employment action against an employee for:

) inquiring about the employee's wages or another employee's wages; (ii) disclosing the employee's own wages; iii) discussing another employee's wages if those wages have been disclosed voluntarily; iv) asking the employer to provide a reason for the employee's wages; or aiding or encouraging another employee's exercise of rights under this section.

iobs that require different abilities or skills:

Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish asonable workday limitations on the time, place, and manner for inquiries about or the discussion or disclosure of employee wages (2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the ommissioner and all other State and federal laws. Subject to subsection (d) of this section, limitations established under paragraph (1) of this subsection may include prohibiting n employee from discussing or disclosing the wages of another employee without that employee's prior permission. Except as provided in subsection (d) of this section, the failure of an employee to adhere to a reasonable limitation included in written policy under subsection (b) of this section shall be an affirmative defense to a claim made against an employer by the

imployee under this section if the adverse employment action taken by the employer was for a failure to adhere to the reasonable tation and not for an inquiry, a discussion, or a disclosure of wages in accordance with the limitation. A prohibition established in accordance with subsection (b)(3) of this section against the discussion or disclosure of the wages f another employee without that employee's prior permission may not apply to instances in which an employee who has access o the wage information of other employees as a part of the employee's essential job functions if the discussion or disclosure is in ponse to a complaint or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, 2) if an employee who has access to wage information as part of the essential functions of the employee's job discloses the oployee's own wages or wage information about another employee obtained outside the performance of the essential functions

of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle.) Nothing in this section shall be construed to: require an employee to disclose the employee's wages inish employées' rights to negotiate the terms and conditions of employment under federal, State, or local law, B) limit the rights of an employee provided under any other provision of law or collective bargaining agreement; 4) create an obligation on any employer or employee to disclose wages: 5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, nformation that is otherwise subject to a legal privilege or protected by law; or

permit an employee to disclose wage information to a competitor of the employer (A) On request, an employer shall provide to an applicant for employment the wage range for the position for which the applicant

l. Did not provide wage history; or 2. Requested the wage range in accordance with this section for the position for which the applicant applied; and

Except a provided in paragraph (2) of this subsection: Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in Seek the wage history for an applicant for employment orally, in writing, or through an employee or an agent or from a After an employer makes an initial offer of employment with an offer of compensation to an applicant for employment, an

(1) Subject to paragraph (3) of this subsection, rely on the wage history voluntarily provided by the applicant for employment o support a wage offer higher than the initial wage offered by the employer: or

you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability and

ne accommodation does not impose an undue hardship on your employer. State Government Article, §20-609(b) If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. Your mployer must explore "all possible means of providing the reasonable accommodation." State Government Article, §20-609(d) ne law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable

Changing job duties Changing work hours Providing mechanical or electrical aid

2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires. Transfers to less strenuous or less hazardous position b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires Providing leave very situation is different. You must explore every available option with your employer to decide what accommodation best suits (a) On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the employer

required, the certification must include:

Do I Need A Doctor's Note? depends on what your employer requests. The law allows an employer, at his or her discretion, to require certification from your nealth care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. State Government Article, §20-609(f)

Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841 mccr@maryland.gov | www.mccr.maryland.go

Pregnant & Working

Probable duration of the accommodation should be provided.

Can I Still Get In Trouble?

Deny the exercise: or

STATE OF MARYLAND

410-853-1600

SOLICITUD DE

BENEFICIOS DEL

DESEMPLEO PARA

LA POBLACIÓN DE

HABLE HISPANA

301-313-8000

COMMISSION ON CIVIL RIGHTS

6 SAINT PAUL STREET, SUITE 900

BALTIMORE, MD 21202-1631

Deny the attempt to exercise the right.

What If I Am A Victim Of Discrimination?

onfidential until your case is certified for public hearing or trial

Explanation as to the medical advisability of the reasonable accommodation.

Retaliation is prohibited under *State Government Article, §20-609(h)* when exercising your rights. If an employee seeks to exercise

her right to request a reasonable accommodation for a temporary disability due to pregnancy, an employer may not

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

If you believe your rights under the law have been violated, you must file a complaint with MCCR within 300 days of the alleged

act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to

believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in, All procedures by MCCR are

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose. **F YOU ARE LAID OFF** or otherwise become unemployed, immediately file a claim by callling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below **IF YOU ARE ELIGIBLE**, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights. IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deduction during the week you return to work regardless of whether or not you have been paid.

YOU ARE ENTITLED TO BENEFITS IF:

You are unemployed through no fault of your own. You have sufficient earnings in your Base Period. You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center

You are able to work, available for work, and actively seeking work. To ensure prompt handling of your claim, it is necessary to have your Social Security number available If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependents' birth certificates or other forms of proof of

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim 301-313-8000	Area Served	
	Calvert	Prince Georges
1-877-293-4125 (toll free)	Charles	St. Mary's
	Montgomery	
301-723-2000	Allegany	Garrett
1-877-293-4125 (toll free)	Frederick	Washington
410-334-6800	Caroline	Somerset
1-877-293-4125 (toll free)	Dorchester	Talbot
	Kent	Wicomico
	Queen Anne's	Worcester

1-877-293-4125 (toll free) **Baltimore City** Harford Baltimore County INSIDE THE STATE OF MARYLAND

(FUFRA DEL ESTADO DE MARYLAND TTY: 1-800-735-2258 Speech to Speech: 1-800-785-5630 Para Relevos en Maryland presione

1-800-877-1264 (U.S.)

TO FILE A CLAIM VIA THE INTERNET www.mdunemployment.com IMPORTANT NOTICE

Inemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be lisqualified and will be subject to criminal prosecution The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex.

(DENTRO DEL ESTADO DE MARYLAND)

Maryland Relay Dial 711

TTY: 1-800-735-2258

Para Relevos en Maryland presione 711 ó

1-800-877-1264 (U.S.)

Speech to Speech: 1-800-785-5630

or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201

MARYLAND DEPARTMENT OF LABOR - DIVISION OF UNEMPLOYMENT INSURANCE THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

Maryland Department of Labor - Employment Article, Title 8. Sec. 8-603 DLLR/DUL328

REV. 03/2020

Employment Discrimination is Unlawful

BALTIMORE, MD 21202-1631

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

How Does The Law Protect Me? What If My Employer Retaliates? Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an State Government Article, §20-602 of the Annotated Code of Maryland provides every Marylander equal protection in employee decides to file an employment discrimination complaint, an employer may not: Physical or Mental Disabilit Interfere with: Deny the exercise; or Restrain: Deny the attempt to exercise the right. Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights Marital Status Sexual Orientation Ancestry or National Origi Gender Identity What If I Am A Victim Of Discrimination Genetic Information If you believe your rights under the law have been violated, you must file a complaint with MCCR **300 days** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or

walk-in. All procedures by MCCR are confidential until your case is certified for public hearing or trial.Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting worl conditions, and discharging an employee. STATE OF MARYLAND COMMISSION ON CIVIL RIGHTS Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship 6 SAINT PAUL STREET, SUITE 90

Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or

circulate information that unlawfully limits employment. Newspapers and other media cannot publish job advertisements that discriminate

Main: (410) 767-8600 | Toll Free: 1 (800) 637-6247 | TTY: (410) 333-1737 | Fax: (410) 333-1841

Department of Labor, Division of Labor and Industry Notice to Tipped Employees

nder Maryland law, a tipped employee is an employee who customarily and regularly received more than 330 each month in tips or gratuities. Maryland law prohibits an employer from requiring a tipped employee to reimburse an employer or pay an **EMPLOYMENT STANDARDS SERVICE**

employer for the amount of a customer's charge for food or beverage if the customer leaves the employer's 10946 GOLDEN WEST DRIVE, SUITE 160 lace of business without paying for the charges. In addition, unless otherwise provided by law, an mployer is prohibited from making a deduction to 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 harge for food or beverages

If you think you have been required to make an improper payment or there has been an improper deduction from your wages related to a customer's charges if the customer leaves the place of business without paying the charges, you may contact the Commissioner of Labor and Industry at:

DIVISION OF LABOR AND INDUSTRY Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303

FOR MORE INFORMATION CONTACT

MARYLAND DEPARTMENT OF LABOR

DIVISION OF INDUSTRY - EMPLOYMENT STANDARDS SERVICE

10946 GOLDEN WEST DRIVE, SUITE 160 • HUNT VALLEY, MD 21031

TELEPHONE NUMBER: (410) 767-2357 • FAX NUMBER: (410) 333-7303

OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor

E-MAIL: dldliemploymentstandards-dllr@maryland.gov

and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprenticeship

PURSUANT TO §3-713(C) OF THE LABOR AND EMPLOYMENT ARTICLE OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED EMPLOYEE IS EMPLOYED.

REV. 02/2022

WORKERS' COMPENSATION LA COMPENSACIÓN DEL TRABAJADOR

<u>Job Related Accidental Personal Injury or Occupational Disease?</u> If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

t you are injured on the job:

City/State/Zip

nsurance Company Name

MD WCC Form C-24 05/2017

nsurance Company Telephone

. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.

. Tell the doctor who treats you that you were hurt on the job. Complete an Employee's Claim Form C-1 (available by phone or on the Commission's website) and

send it to us as soon as possible. Note: Withholding information or giving false information about any work-related activit or return to work could prevent you from receiving benefits and may subject

to fines, imprisonment or both.

Business Address/Dirección Maryland Workers' Compensation Commission Federal Employer ID (FEIN) (410) 864-5100 / Outside Baltimore (800) 492-0479 elephone Number/Número Telefónico -

<u>'¿Accidentes por lesión/daño corporal relacionados con</u> <u>el Empleo o Enfermedad Profesional?</u>

i usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley).

<u>ii usted sufre una lesión en el trabajo, debe:</u> l. Informarle a su empleador o supervisor de inmediato. No podría recibir todos sus beneficios a menos que su empleador fuere notificado que sufrió una lesión.

que usted se lesionó en su trabajo. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitándo uno por

Informarle al médico quien le administre tratamiento

teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible. Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que

10 East Baltimore Street, Baltimore, Maryland 21202-1641 Webpage - http://www.wcc.state.md.us / TTY Users - 711 in Maryland or (800) 735-2258 This notice must be printed on 8.5 "X 14" gold or yellow paper, display complete employer information and be posted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.10.

recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Department of Labor, Division of Labor and Industry **Minor Fact Sheet**

Non-Employment Activities

the place of a parent.

the place of a parent.

Caddying on a golf course.

REV. 02/2022

(Labor and Employment Article, Section 3-206

APPLYING FOR A WORK PERMIT NOTE TO EMPLOYERS A minor under the age of 14 is not permitted to work and may not be pplications for work permits are accepted online at: ww.dllr.state.md.us/childworkpermit. Steps: Minors 14 through 17 years of age may only work with a work permit. Minor or Parent/Guardian completes required information online and prints work permit The work permit must be in the employer's possession before the mino TO BE VALID: The Minor, the Minor's Parent/Guardian, and the Employer is permitted to work. must sign the permit Employers must keep the work permit on file for three years.

(II) Seek to confirm the wage history voluntarily provided by the applicant for employment to support a wage offer higher

(3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher wage does not create an

(c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make

(b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive

a)(1) If an employer knew or reasonably should have known that the employer's action violates § 3-304 of this subtitle, an affected

ployees of one sex or gender identity and the wages paid to employees of another sex or gender identity who do the same type

(2) If an employer knew or reasonably should have known that the employer's action violates § 3-304.1 of this subtitle, an affected

employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal

(3) An employee may bring an action on behalf of the employee and other employees similarly affected.

(b) On the written request of an employee who is entitled to bring an action under this section, the Commissioner may:

2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and

(c) An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the

(d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a

(e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the

employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland

(2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the

refuse entry to the Commissioner or an authorized representative of the Commissioner into a place of employment that the

(4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for

(ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or

(iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle; or

e Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4) or

)(1) Except as provided in paragraph (2) of this subsection, an employer who violates any provision of subsection (a)(2) or (3) of this

(ii) If an employer is found to have violated this subtitle two or more times within a 3-year period, the Commissioner or a court

2. for a second violation, assess a civil penalty of up to \$300 for each applicant for employment for whom the employer is

3. for each subsequent violation, assess a civil penalty of up to \$600 for each applicant for employment for whom the

employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had

(3) If the Commissioner assesses a penalty under paragraph (1)(II) of this subsection, the penalty shall be subject to the notice

1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the Commissioner,

ay require the employer to pay a civil penalty equal to 10% of the amount of damages owed by the employer.

)(1) If the Commissioner determines that an employer has violated §3-304.2 of this subtitle, the Commissioner:

(iii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of

) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

employee may bring an action against the employer for injunctive relief and to recover the difference between the wages paid to

training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this

(C) This section may not be construed to prohibit an applicant for employment from sharing wage history with an employer

unlawful pay differential based on protected characteristics under §3-304 of this subtitle.

(b) Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle.

(a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall:

1) try to resolve any issue involved in the violation informally by mediation; or

work and an additional equal amount as liquidated damages.

(1) take an assignment of the claim in trust for the employee:

mination of employment under § 3-505(a) of this title

(1) willfully violate any provision of this subtitle:

nmissioner is authorized under this subtitle to inspect; or

(i) makes a complaint to the employer, the Commissioner, or another person;

) in bad faith, bring a proceeding that relates to the subject of this subtitle; or

ection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300.

1. for a first violation, issue a letter to the employer compelling compliance:

(2) In determining the amount of the penalty, if assessed, the Commissioner shall consider:

defense to an action under this section.

nforcement of this subtitle;

proceeding to be brought; or

subsection (b)(1), (3), or (4) of this section.

enforcing this subtitle.

An employee or an applicant for employment may not:

) in bad faith, bring an action under this subtitle:

2) (i) This paragraph does not apply to a violation of §304.2.

I) shall issue an order compelling compliance; and

(II) may, in the Commissioner's discretion.

(I) the gravity of the violation'

FOR MORE INFORMATION CONTACT

DIVISION OF LABOR AND INDUSTRY

EMPLOYMENT STANDARDS SERVICE

SUITE 160 - HUNT VALLEY, MD 21031

10946 GOLDEN WEST DRIVE,

PHONE: 410-767-2357

Child Labor

DEPARTMENT OF LABOR

(II) the size of the employer's busines

III) the employer's good faith; and

(IV) the employer's history of violations under this subtitle.

and hearing requirements of Title 10. Subtitle 2 of the State Government Article.

2) ask the Attorney General to bring an action on behalf of the applicant or employee

(a)(1) Each employer shall keep each record that the Commissioner requires on:

(ii) job classifications of employees; and

(iii) other conditions of employment.

relief, damages, or other relief.

Permissible Hours of Employment May not be employed or permitted to work more than five hours continuously without a non-working period of at least ½ hour Minors 14 – 15: *Non-school hours;

3 hours on any day when school is in session 8 hours on any day when school is not in session *18 hours in a school week;

40 hours in any week when school is not in session; *May only work between the hours of 7:00am and 7:00pm. ^eMay work until 9:00pm from June 1 until Labor Day. The hours worked by a minor enrolled in a bona fide work- study or student-learner program when school is normally in session may not be counted towards the

permissible hours of work prescribed above.

abor.maryland.gov/labor/wages/empm.shtml

is based upon a more restrictive Federal law. Minors 16 – 17: May spend no more than 12 hours in a combination of school hours and work hours each day.

Must be allowed at least eight consecutive hours of non-work, non-school time in each ceptions to hours and occupations may be granted by the Commissioner of Labor and ustry. Applications for exceptions should be addressed to the Commissioner giving specific

ecial permits may be issued to minors of any age to be employed as a model.

former, or entertainer. The applications and permits are available only from the

more office of the Division of Labor and Industry (address below) or online at:

Manufacturing of evergreen wreaths in or about a home Delivery of newspapers to the consumer. Work performed as a counselor, assistant counselor, or instructor in a youth camp certified under the Maryland Youth Camp Act. Hazardous work performed by non-paid volunteers of a volunteer fire department or company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older

estrictions under the child labor provisions of the Federal Fair Labor Standards Act may

evails. Information on Federal Standards is available from the Baltimore office of the

be greater than State Standards. In all cases, the higher or more restrictive standard

U.S. Department of Labor, Wage and Hour Division (410) 962-6211.

Activities not considered employment if performed outside of the prescribed school day

Work performed in a business owned or operated by a parent or one standing in

organization, employed with the written consent of a parent or one standing in

and the activity does not involve mining, manufacturing or hazardous occupations. The

Work performed by non-paid volunteers, in a charitable or non-profit

Employment as an instructor on an instructional sailboat.

Domestic work performed in or about a home.

Docks or wharves, other than marinas where pleasure boats are sold or served Pilots, firemen, or engineers on any vessel or boat engaged in commerce. Erection and repair of electrical wires. Any distillery where alcoholic beverages are manufactured, bottled, wrapped or

Occupations in or about plants or establishments manufacturing or storing

Logging occupations and occupations in the operation of any sawmill, lathe mill,

Occupations involved in the operation of power-driven woodworking machines

Occupations involved in the operation of power-driven metal forming, punching,

Occupations involving exposure to radioactive substances and to ionizing radiations.

Occupations involved in the operation of elevators and other power-driven hoisting

explosives or articles containing explosive components.

Occupations of motor-vehicle driver and outside helper

Coal-mine occupations

railroads

hoisting apparatus

shingle mill, or cooperage-stock mill.

Occupations involved in roofing operations. Occupations involved in excavation operations. n addition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and Industry, the following occupations are forbidden to all The manufacturing of dangerous or toxic chemicals or compounds. Cleaning, oiling or wiping of machinery

Any occupation forbidden by any local, state or federal law.

the health and welfare of the minor.

certain baking and cooking

Occupations in connection with mining, other than coal.

Occupations involving slaughtering, meat-packing or processing, or rendering.

Occupations involved in the operation of certain power-driven bakery machines

Occupations involved in the operation of certain power-driven paper products

Occupations involved in the manufacture of brick, tile, and kindred products.

Occupations involved in wrecking, demolition, and shipbreaking operations.

Occupations involved in the operation of circular saws, band saws, and guillotine

Any occupation which after investigation by the Commissioner is deemed injurious to

A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over \$100.00 between 8 a.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been received in payment of goods or services delivered by the minor. AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE

Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or storage areas where goods are manufactured or processed. Operation, cleaning or adjusting of any power-driven machinery other than office machines Occupations in, about, or in connection with (except office or sales work not performed on site

 construction lumberyard

airports

public messaging service

any occupation deemed injurious occupations causing dust or gases in by the Commissioner after injurious quantities investigation. boats engaged in navigation of transportation of persons or certain poultry activities

REV. 02/2022

TO BE POSTED

HEALTH INSURANCE COVERAGE ou and other members of your family may be eligible under Maryland law to continue to be covered by your former

You will be responsible for paying the entire cost of the health insurance policy. For further information about the program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore a)t (410) 468-2244 or 1-800-492-6116 (Ext. 2244).

STATE OF MARYLAND MARYLAND DEPARTMENT OF LABOR

THIS NOTICE APPLIES TO STATE LAW. YOU MAY HAVE BROADER BENEFITS UNDER FEDERAL LAW.

TO BE POSTED

Department of Labor **EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE**

he Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

You quit your job or you were terminated from your employment for a reason other than for cause; and

organization (HMO) for at least three (3) months prior to being separated from your employment; and

you wish to continue your health insurance, you MUST give your employer written notice no later than forty-five (45)

You are covered by your employer under a group hospital-medical policy or a health maintenance

Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins mployment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least ne hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of arned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time.

employee is allowed to use earned sick and safe leave under the following conditions: To care for or treat the employee's mental or physical illness, injury, or condition: To obtain preventative medical care for the employee or the employee's family member; To care for a family member with a mental or physical illness, injury, or condition:

nployer's health insurance policy if:

ays after your last day of work.

Sick and Safe Leave

You do not have other similar insurance.

For maternity or paternity leave: or The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking

A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the legal guardian or ward of the employee or the employee's spouse, or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor. Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Employers are required to provide employees with a written statement of the employee's available earned sick and

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an

action, or testifying in an action in bad faith. How to File a Complaint or Obtain Additional Information If you feel your rights have been violated under this law or you would like additional information, you may contact:

COMMISSIONER OF LABOR AND INDUSTRY 10946 Golden West Drive, Suite 160 - Hunt Valley, MD 21031

REV. 02/2022

Department of Labor, Licensing and Regulation

Safety and health protection on the job

Maryland Occupational Safety and Health Act - Private Sector

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following: Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health

Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health Inspectors conduct jobsite inspections to ensure compliance with the Act.

The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace. Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if

they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination. If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be

issued to the employer. Each citation shall specify a time period within which the alleged violation must be corrected. The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected,

whichever is later, to warn employees of dangers that may exist there. The Act provides for mandatory civil penalties against employers of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed

> civil penalties of up to \$70,000 for each such violation. Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more that \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.

> ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

> > Mosh Training and Education 10946 GOLDEN WEST DRIVE, SUITE 160 HUNT VALLEY, MARYLAND 21031 PHONE: 410-527-2091

Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309



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