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**By: Senator Pinsky**

Introduced and read first time: February 2, 1996

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Occupational Safety and Health - Joint Labor-Management Safety Committee**

3 FOR the purpose of requiring each employer that employs more than 25 employees to  
4 have a joint labor-management safety committee; providing for the composition of  
5 a committee; providing for the election of a chairman of a committee; providing for  
6 the powers and duties of a committee; requiring an employer to review all  
7 recommendations made to it by a committee; providing that the requirements of this  
8 Act are in addition to any other requirements of the Maryland Occupational Safety  
9 and Health Act and that compliance with the requirements of this Act does not  
10 relieve an employer from having to comply with any other requirements; and  
11 generally relating to joint labor-management safety committees.

12 BY adding to

13 Article - Labor and Employment  
14 Section 5-218  
15 Annotated Code of Maryland  
16 (1991 Volume and 1995 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Labor and Employment**

20 5-218.

21 (A) EACH EMPLOYER THAT EMPLOYS MORE THAN 25 EMPLOYEES SHALL  
22 HAVE A JOINT LABOR-MANAGEMENT SAFETY COMMITTEE AS PROVIDED IN THIS  
23 SECTION.

24 (B) (1) A JOINT LABOR-MANAGEMENT SAFETY COMMITTEE SHALL CONSIST  
25 OF AT LEAST SIX MEMBERS.

26 (2) HALF OF THE MEMBERS OF A COMMITTEE SHALL BE EMPLOYEES  
27 AND HALF SHALL BE MEMBERS OF MANAGEMENT.

28 (3) THE EMPLOYEE MEMBERS OF A COMMITTEE SHALL BE ELECTED  
29 DIRECTLY BY THE EMPLOYEES.

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1 (4) THE MANAGEMENT MEMBERS OF A COMMITTEE SHALL BE  
2 APPOINTED BY THE MANAGEMENT.

3 (5) MEMBERS OF A COMMITTEE SHALL SERVE FOR A TERM OF 5 YEARS.

4 (C) (1) EACH YEAR, A COMMITTEE SHALL ELECT A CHAIRMAN FROM  
5 AMONG THE MEMBERS OF THE COMMITTEE.

6 (2) ONE YEAR THE CHAIRMAN SHALL BE AN EMPLOYEE, AND THE NEXT  
7 YEAR THE CHAIRMAN SHALL BE A MEMBER OF MANAGEMENT.

8 (D) (1) A MAJORITY OF THE MEMBERSHIP OF A COMMITTEE IS A QUORUM.

9 (2) A COMMITTEE SHALL MEET AT LEAST ONCE A MONTH.

10 (3) THE MEMBERS OF A COMMITTEE SHALL BE GRANTED RELEASE  
11 TIME FROM THEIR NORMAL WORK SCHEDULE TO ATTEND THE MEETINGS OF THE  
12 COMMITTEE.

13 (4) A COMMITTEE SHALL KEEP MINUTES OF ITS MEETINGS AND MAKE  
14 THE MINUTES AVAILABLE TO ANY EMPLOYEE OR MEMBER OF MANAGEMENT ON  
15 REQUEST.

16 (E) A COMMITTEE SHALL:

17 (1) ESTABLISH AND SUPERVISE PROGRAMS FOR THE EDUCATION AND  
18 TRAINING OF EMPLOYEES AND THE EMPLOYER IN RECOGNIZING, AVOIDING, AND  
19 PREVENTING UNSAFE OR UNHEALTHFUL WORKING CONDITIONS;

20 (2) IF A VIOLATION OF AN OCCUPATIONAL SAFETY AND HEALTH  
21 STANDARD OCCURS, REVIEW THE VIOLATION AND MAKE RECOMMENDATIONS TO  
22 THE EMPLOYER TO PREVENT SIMILAR VIOLATIONS IN THE FUTURE; AND

23 (3) GENERALLY OVERSEE AND MAKE RECOMMENDATIONS  
24 REGARDING THE EMPLOYER'S COMPLIANCE WITH OCCUPATIONAL SAFETY AND  
25 HEALTH STANDARDS.

26 (F) (1) AN EMPLOYER SHALL REVIEW ALL RECOMMENDATIONS MADE TO  
27 IT BY A COMMITTEE.

28 (2) IF AN EMPLOYER REJECTS A RECOMMENDATION OF A COMMITTEE,  
29 THE EMPLOYER SHALL PROVIDE THE COMMITTEE WITH A WRITTEN EXPLANATION  
30 OF THE EMPLOYER'S REASONS FOR REJECTING THE RECOMMENDATION.

31 (G) (1) THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO ANY  
32 OTHER REQUIREMENTS OF THIS TITLE.

33 (2) COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION DOES  
34 NOT RELIEVE AN EMPLOYER FROM HAVING TO COMPLY WITH ANY OTHER  
35 REQUIREMENTS OF THIS TITLE.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 October 1, 1996.