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MAYOR

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**HB 0176**

February 18, 2025

**TO:** Members of the Appropriations Committee

**FROM:** Nina Themelis, Director of Mayor's Office of Government Relations

**RE:** **HB0176 - Labor and Employment - Occupational Safety and Health - Revisions (Davis Martinez Public Employee Safety and Health Act)**

**POSITION: Letter of Concern**

Chair Barnes, Vice Chair Chang, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) would like to provide the following **Letter of Concern** on House Bill (HB) 0176.

HB 0176 would propose significant revisions to the Maryland Occupational Safety and Health Act, focusing on expanding protections for public sector employees. The bill establishes the Public Employees' Safety and Health Unit within the Division of Labor and Industry, led by an Assistant Commissioner for Public Employees' Safety and Health, to ensure the oversight of workplace safety. Key provisions include enhanced inspection protocols, mandatory workplace violence prevention standards, and regular safety assessments of fieldwork locations. The bill also emphasizes transparency and accountability, requiring public bodies to share annual reports and safety citations with employees. Revenues from civil penalties will support the Maryland Apprenticeship and Training Program, reinforcing the state's commitment to employee well-being and workforce development.

HB 0176 raises concerns regarding service disruptions, legal questions, and reporting requirements. Unannounced routine inspections, particularly in fieldwork operations, could interfere with critical public services such as solid waste collection, wastewater treatment, and drinking water operations, causing delays and operational challenges that may impact public health and safety. The scope of unannounced vehicle inspections is unclear, raising questions about whether all vehicles at a site will be inspected, if vehicles will be pulled from service routes, and what specific procedures will be required. These disruptions could increase overtime costs and exacerbate staffing shortages. With unannounced inspections already conducted by multiple administrations within the Maryland Department of Environment (MDE) and other regulatory bodies, this additional layer of oversight risks compounding operational strain and creating redundancies within the Division of Labor and Industry.

The expanded oversight introduces new enforcement measures, including civil penalties for public bodies, which previously did not exist. The establishment of the Public Employees' Safety and Health Unit adds an additional layer of oversight, raising concerns about overlapping investigations and conflicting findings with existing regulatory bodies such as MOSH. This creates the potential for duplicate investigations and differing abatement recommendations. Additionally, the introduction of penalties for public bodies could further strain already limited budgets, adding to staffing and overtime costs as well as any expenses associated with addressing potential safety issues

Agencies within the City, such as the Department of Public Works, are making strides in developing enhanced training protocols, with full implementation planned by 2026. Despite these efforts, significant challenges remain. Current efforts highlight a need for interdepartmental coordination and may necessitate additional partnerships and full-time staff to ensure compliance. HB 0176's requirement for the quarterly submission of each injury, illness, or death would necessitate additional staff to manage the collection, tracking, and oversight across multiple divisions, increasing budget pressures for staffing, office development, and training.

While HB 0176 aims to enhance worker safety, several areas require further clarification to ensure the bill's intent. The absence of clear exemptions for public bodies raises concerns about whether government agencies might face penalties originally designed for private entities. Additionally, expectations for workplace violence prevention programs remain undefined, creating uncertainty about how compliance will be evaluated.

The BCA remains committed to prioritizing worker safety, clarifying ambiguous language and refining technical provisions will help ensure the bill remains both effective and achievable. The BCA respectfully submits this **Letter of Concern** regarding HB176.