

BILL: HOUSE BILL 176
TITLE: Labor and Employment – Occupational Safety and Health – Revisions (Davis Martinez Public Employee Safety and Health Act)
HEARING DATE: February 18, 2025
POSITION: UNFAVORABLE
COMMITTEE: House – Appropriations
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The Maryland Association of Boards of Education (MABE), representing all of the state’s local boards of education, **opposes House Bill 176**. As the voice of Maryland’s 24 local boards, MABE believes the principle of local governance by boards of education is fundamental to a sound system of public education.

MABE recognizes the importance of safe working environments, particularly safe school buildings for the benefit of teachers and staff to do their best work educating students. However, this proposed legislation focuses on penalties and reporting rather than providing funding or training for real safety improvements. The bill’s additional reporting, inspections and penalties largely duplicate existing requirements without significantly improving employee protections. The Maryland Occupational Safety and Health (MOSH) Act already applies to public bodies, including school districts, and mandates comprehensive safety programs. MOSH already has the authority to inspect school workplaces, vehicles, and fieldwork locations. This bill expands inspections without demonstrating that current oversight is inadequate.

In addition, this legislation would increase compliance costs borne by local governments, diverting critical funds away from direct employee benefits and educational programs. The bill also establishes penalties for public bodies, further straining school budgets by imposing fines rather than funding meaningful workplace safety improvements.

Additional concerns include:

- The potential for operational disruptions by allowing representatives to enter a school with a staff member alleging a hostile work environment.
- The bill’s failure to account for one of the leading causes of school-based injuries— incidents involving students striking staff.
- Extensive new reporting and notification requirements, including quarterly injury and illness reports and annual distribution of citations to all employees.
- Increased administrative burden complying with new requirements that detracts from time educating students.

- The vague definition of “workplace violence,” which raises concerns about unintended consequences, including as stigmatizing students with disabilities. If the intent is to track incidents such as school fights, that data is already reported to the Maryland State Department of Education (MSDE) and monitored by school boards.

Most school boards do not have a dedicated occupational safety and health department. Instead, MOSH/OSHA compliance responsibilities are distributed across multiple departments. Without specific funding to support the additional mandates sought by this bill—including personnel and training—compliance would be both costly and challenging.

For the above reasons, MABE respectfully opposes HB 176.