



Senate Bill 26

Labor and Employment - Occupational Safety and Health - Revisions
(Davis Martinez Public Employee Safety and Health Act)

MACo Position: **SUPPORT**

To: Finance Committee

WITH AMENDMENTS

Date: January 29, 2025

From: Karrington Anderson

The Maryland Association of Counties (MACo) **SUPPORTS SB 26 WITH AMENDMENTS**. This bill establishes the Public Employees' Safety and Health Unit in the Division of Labor and Industry to administer and enforce certain duties regarding the oversight of certain public bodies, including local governments. Counties are concerned that the bill is, in some areas, too specific and duplicative, and offer amendments to remedy those concerns.

Counties request that provisions be added to provide flexibility in how local governments communicate workplace safety information to employees. While emailing reports and citations ensures accessibility for employees with departmental email accounts, not all public employees have such accounts, and setting them up for every employee would result in substantial costs and the use of already strained personnel resources. Local governments can ensure all employees are informed without imposing unnecessary fiscal and administrative burdens by including the alternative option to prominently post citations and reports at or near the location of the alleged violations. This approach balances compliance with workplace safety requirements and practical implementation for local governments.

Existing federal and state regulations under OSHA and MOSH already require public bodies to maintain accurate records of workplace safety information, making this additional requirement under SB 26 redundant. The mandate to submit quarterly reports to the Commissioner would create administrative inefficiencies and increase costs for local governments without providing any added value or benefit to workplace safety. Removing this provision would prevent unnecessary duplication, streamline compliance processes, and reduce administrative strain on local governments.

Counties recognize and broadly support the intent of SB 26. This bill represents a meaningful step toward safer workplaces for public employees, a cause counties wholeheartedly support. By refining the bill to address practical implementation concerns, its goals can be achieved without creating undue financial or administrative burdens on local governments. For these reasons, MACo urges the Committee to give SB 26 a **FAVORABLE WITH AMENDMENTS** report (MACo's suggested amendments are on the next page).

MACo Amendments to SB 26:

- Page 7, line 25, after “IF ANY” insert “; OR
(III) SHALL POST SUCH CITATION, OR A COPY THEREOF, UNEDITED, AT OR NEAR EACH PLACE AN ALLEGED VIOLATION REFERRED TO IN THE CITATION OCCURRED, AND SHALL BE KEPT POSTED UNTIL THE VIOLATION IS ABATED OR FOR THREE WORKING DAYS, WHICHEVER IS LONGER; AND SUCH CITATION SHALL BE POSTED, UNEDITED, IN A PROMINENT PLACE WHERE IT WILL BE READILY OBSERVABLE BY ALL AFFECTED EMPLOYEES.”
- Page 13, line 25, after “EMPLOYEES” insert “; OR
(3) SHALL POST SUCH CITATION, OR A COPY THEREOF, UNEDITED, AT OR NEAR EACH PLACE AN ALLEGED VIOLATION REFERRED TO IN THE CITATION OCCURRED, AND SHALL BE KEPT POSTED UNTIL THE VIOLATION IS ABATED OR FOR THREE WORKING DAYS, WHICHEVER IS LONGER; AND SUCH CITATION SHALL BE POSTED, UNEDITED, IN A PROMINENT PLACE WHERE IT WILL BE READILY OBSERVABLE BY ALL AFFECTED EMPLOYEES.”
- Page 15, strike in their entirety lines 4 through 9.